

BEAUMONT

TEXAS

**REGULAR MEETING OF THE CITY COUNCIL
COUNCIL CHAMBERS JUNE 30, 2015 1:30 P.M.**

CONSENT AGENDA

- * Approval of minutes – June 16, 2015
- * Confirmation of committee appointments
- A) Approve the renewal of an annual support agreement with Creative Switching Designs, Inc. for the ShoreTel phone systems
- B) Authorize the acceptance of a ten foot wide Exclusive Water Line Easement located at 3995 Crow Road
- C) Approve a request to abandon a 60'x~660' general utility easement
- D) Authorize the City Attorney to bring suit against Joseph D. Butler to compel him to comply with the City's Health and Safety Codes

BEAUMONT

— T E X A S —

TO: City Council

FROM: Kyle Hayes, City Manager

PREPARED BY: Bart Bartkowiak, Chief Technology Officer

MEETING DATE: June 30, 2015

REQUESTED ACTION: Council consider a resolution approving the renewal of an annual support agreement with Creative Switching Designs, Inc. in the amount of \$74,954.55 for the ShoreTel phone systems.

BACKGROUND

The ShoreTel phone system is in use in a large number of City facilities. The ShoreTel phone system provides telephone communications, voice mail and four digit dialing to all facilities with ShoreTel installed. The purchase is exempt from competitive bidding since it is available from only one (1) source having exclusive rights to maintain the ShoreTel infrastructure.

FUNDING SOURCE

General Fund – Information Technology Department.

RECOMMENDATION

Approval of resolution.

May 1, 2015

Terry LaFleur
City of Beaumont
801 Main St. Suite 330
Beaumont, Texas 77704-3827

Dear Mr. LaFleur:

The current ShoreCare Agreement on the ShoreTel Phone System expires on 08/28/2015.

If you are interested in extending this agreement, all you need to do is fill out the bottom with the Type of Service you want and sign. If you use a Purchase Order please attach this form to the Purchase Order. A 20% re-instatement fee will apply if payment is not received prior to expiration of existing agreement.

Type of Service	Bronze	Silver	Gold
Description of coverage:	Advanced Replacement/Exchange of all Hardware. Phone support/on-site trouble shooting and software upgrades. (Labor on software upgrade install not covered) Phones are not covered.	Everything listed on Bronze plus Remote MAC's (Moves, adds and changes) apply only to the system configuration at time of service contract. (Does not include re-installation of current system.) Phones are not covered.	Everything listed for Bronze and Silver plus labor on software upgrades. Phones are not covered.
Price for a year: 08/29/14 to 08/28/15	\$45,427.00	\$65,869.15	\$74,954.55

Type of Service: _____

PO Referenced: _____

Signature: _____

If you should choose not to participate in an annual agreement, service could be rendered on an as needed basis. Labor costs are \$160.00 per hour. Parts prices are per manufacturers published price. Each service call would also be charged travel time but no mileage charge.

Phone coverage quotes upon request.

RESOLUTION NO.

BE IT RESOLVED BY THE CITY COUNCIL OF THE

CITY OF BEAUMONT:

THAT the City Council hereby approves the renewal of an annual support agreement for the ShoreTel phone systems from Creative Switching Designs, Inc., of Houston, Texas, the sole source having exclusive rights to maintain the ShoreTel infrastructure, in the amount of \$74,954.55 for use by all City departments; and,

BE IT FURTHER RESOLVED THAT the City Manager be and he is hereby authorized to execute an annual support agreement with Creative Switching Designs, Inc., of Houston, Texas, for the purposes described herein.

PASSED BY THE CITY COUNCIL of the City of Beaumont this the 30th day of June, 2015.

- Mayor Becky Ames -

BEAUMONT

— T E X A S —

TO: City Council

FROM: Kyle Hayes, City Manager

PREPARED BY: Dr. Joseph Majdalani, P.E., Public Works Director *JM*

MEETING DATE: June 30, 2015

REQUESTED ACTION: Council consider a resolution authorizing the acceptance of a ten foot (10') wide Exclusive Water Line Easement.

BACKGROUND

Hamlet Park 2, LP has agreed to convey a ten foot (10') wide exclusive Water Line Easement to the City of Beaumont. The easement is described as being a 4,105.97 square foot tract out of a 1.00 acre tract, situated in the Frederick Bigner Survey, Abstract No. 1. The water line easement is for the construction of the townhomes located at 3995 Crow Road.

FUNDING SOURCE

Not applicable.

RECOMMENDATION

Approval of resolution.

RESOLUTION NO.

WHEREAS, Hamlet Park 2, LP has agreed to convey one (1) ten foot (10') wide exclusive water line easement, said easement being a 4,105.97 square foot tract out of a 1.0 acre tract, situated in the Frederick Bigner Survey, Abstract No. 1, as described and shown in Exhibit "1," attached hereto, to the City of Beaumont for the construction of new townhomes located at 3995 Crow Road; and,

WHEREAS, the City Council has considered the purpose of said conveyance and is of the opinion that the acceptance of said conveyance is necessary and desirable and that same should be accepted;

NOW, THEREFORE, BE IT RESOLVED BY THE

CITY COUNCIL OF THE CITY OF BEAUMONT:

THAT the statements and findings set out in the preamble to this resolution are hereby, in all things, approved and adopted; and,

THAT one (1) ten foot (10') exclusive water line easement conveyed by Hamlet Park 2, LP, being a 4,105.97 square foot tract out of a 1.00 acre tract, situated in the Frederick Bigner Survey, Abstract No. 1, as described and shown in Exhibit "1," attached hereto, be and the same is hereby, in all things, accepted for the stated purpose.

PASSED BY THE CITY COUNCIL of the City of Beaumont this the 30th day of June, 2015.

- Mayor Becky Ames -

STATE OF TEXAS X

COUNTY OF JEFFERSON X

KNOW ALL MEN BY THESE PRESENTS:

WATER LINE EASEMENT

THAT, **HAMLET PARK 2, LP**, a Texas Limited Partnership, hereinafter called "GRANTOR", whether one or more, for and in consideration of the sum of ONE AND NO/100 DOLLAR (\$1.00), and other good and valuable consideration to us in hand paid by the CITY OF BEAUMONT, a municipal corporation domiciled in Jefferson County, Texas, hereinafter called "GRANTEE", the receipt and sufficiency of which consideration is hereby acknowledged, has GRANTED, SOLD and CONVEYED, and by these presents does GRANT, SELL and CONVEY unto the **CITY OF BEAUMONT**, P. O. Box 3827, Beaumont, Texas 77704, Jefferson County, Texas, its successors and assigns, a perpetual, exclusive, water line easement (the "Easement") to construct, alter, and maintain waterlines and related appurtenances on the hereinafter described lands which said easement is under, over, in and across those certain tracts or parcels of land owned by GRANTOR situated in the County of Jefferson, State of Texas, and being more particularly described in Exhibit "A", attached and made a part hereof for all purposes (the "Easement Area").

The Easement herein granted shall be used for the purpose of placing, constructing, operating, repairing, rebuilding, replacing, relocating, and/or removing water lines and related appurtenances in the Easement Area, and, it is expressly understood and agreed that the City of Beaumont shall have the right of reasonable ingress to and egress from the Easement Area and use of the same for the purposes aforesaid; provided, however that Grantee use of the Easement and the rights appurtenant thereto shall in no event unreasonably interfere with or hinder the

EXHIBIT "1"

business operations on the Grantor's adjacent property and/or Grantor's ingress and egress thereto.

Grantor reserves the right to continue to use and enjoy the surface of the Easement Area for all purposes that do not interfere with or interrupt the use or enjoyment of the Easement by Grantee for the purposes provided herein, including but not limited to the right to place surfacing materials over and across the Easement Area and to use the same for parking areas, driveways, walkways or sidewalks, landscaping and/or lighting; provided, however, no permanent buildings may be placed on the Easement Area. Notwithstanding the foregoing, Grantee shall not be responsible for the repair and replacement of any improvements placed by Grantor within the Easement Area and the same shall be repaired and maintained by Grantor, at Grantor's sole cost and expense.

The conveyance of the Easement granted herein is made by Grantor and accepted by Grantee subject to any and all existing easements, covenants, rights-of-way, conditions, restrictions, outstanding mineral interests and royalty interests, if any, in the Easement Area of record in the office of the County Clerk of the County of Jefferson (collectively, the "Permitted Exceptions").

This Easement may be amended or terminated only by the written consent of the parties hereto, or their respective successors and assigns.

TO HAVE AND TO HOLD the above described easement and right-of-way unto the said CITY OF BEAUMONT, its successors and assigns forever, by, through, or under Grantor, but not otherwise, subject to the Permitted Exceptions.

[Signature Page Follows]

EXECUTED this _____ day of _____, 2015.

GRANTOR:

Hamlet Park 2, LP,
a Texas Limited Partnership

By: HAMLET MANAGEMENT, INC.,
a Texas Corporation, Its General Partner

By: _____

Printed Name: Alan Grassano

Title: President

ACKNOWLEDGMENT

STATE OF FLORIDA X

COUNTY OF INDIAN RIVER X

This instrument was acknowledged before me on this the _____ day of _____, 2015, by Alan Grassano, President of Hamlet Management, Inc., general partner of Hamlet Park 2, LP.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this ____ day of _____, 2015.

Notary Public, State of Texas

RETURN TO: City of Beaumont
Antoinette Hardy - Engineering
P. O. Box 3827
Beaumont, TX 77704

FAUST Engineering and Surveying, Inc.

Professional Engineers and Professional Surveyors
E-MAIL ADDRESS INFO@FAUSTENG.COM
2525 Calder Street
Beaumont, Texas 77702
Surveying Firm Registration No. 100024-00
Engineering Firm Registration No. 4800

Telephone (409) 813-3410
Fax (409) 813-3484

**EXHIBIT A
PAGE 1 OF 2
FIELD NOTE DESCRIPTION
FOR A 4,105.97 SQUARE FEET, 10 FEET WIDE
EXCLUSIVE WATERLINE EASEMENT
OUT OF A
1.00 ACRE TRACT
F. BIGNER SURVEY, ABSTRACT NO. 1
JEFFERSON COUNTY, TEXAS**

June 08, 2015

THAT certain 4,105.97 square feet, 10 feet wide exclusive waterline easement out of a 1.00 acre tract out of the F. Bigner Survey, Abstract No. 1, Jefferson County, Texas; said 1.00 acre tract conveyed to Hamlet Park 2, LP, a Texas Limited Partnership, as recorded in County Clerk's File No. 2007045571 of the Real Property Records of Jefferson County, Texas; said 4,105.97 square feet tract being more particularly described by metes and bounds as follows:

(BASIS OF BEARINGS IS THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE, CONVERGENCE 02°22'21", SCALE FACTOR 0.999956476, NAD 1983)

COMMENCING at a concrete monument (disturbed) found on the west right-of-way line of Crow Road, being the southeast corner of a tract conveyed to Hamlet Park, LP, as described in County Clerk's File No. 2003037055 of the Real Property Records of Jefferson County, Texas, and the northeast corner of the said 1.00 acre tract;

THENCE South 02°34'38" East (called South) along the west right-of-way line of said Crow Road and the east line of the said 1.00 acre tract, a distance of 29.81 feet to the northeast corner of the said 1.00 acre tract and the **POINT OF BEGINNING** of the herein described tract;

THENCE South 02°34'38" East (called South) along the west right-of-way line Crow Road and the east line of the said 1.00 acre tract, a distance of 10.00 feet to the southeast corner of the herein described tract;

THENCE South 87°03'45" West, a distance of 408.57 feet to the southwest corner of the herein described tract;

Field Note Description

THENCE North 02°56'15" West, a distance of 10.00 feet to the northwest corner of the herein described tract;

THENCE North 87°03'45" East, a distance of 97.77 feet to an angle point in the north line of the herein described tract;

THENCE North 02°56'15" West, a distance of 2.00 feet to angle point in the north line of the herein described tract;

THENCE North 87°03'45" East, a distance of 10.00 feet to an angle point in the north line of the herein described tract;

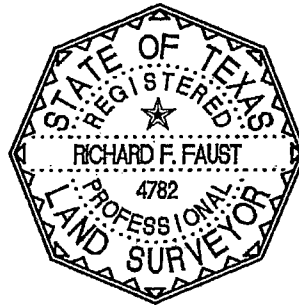
THENCE South 02°56'15" East, a distance of 2.00 feet to angle point in the north line of the herein described tract;

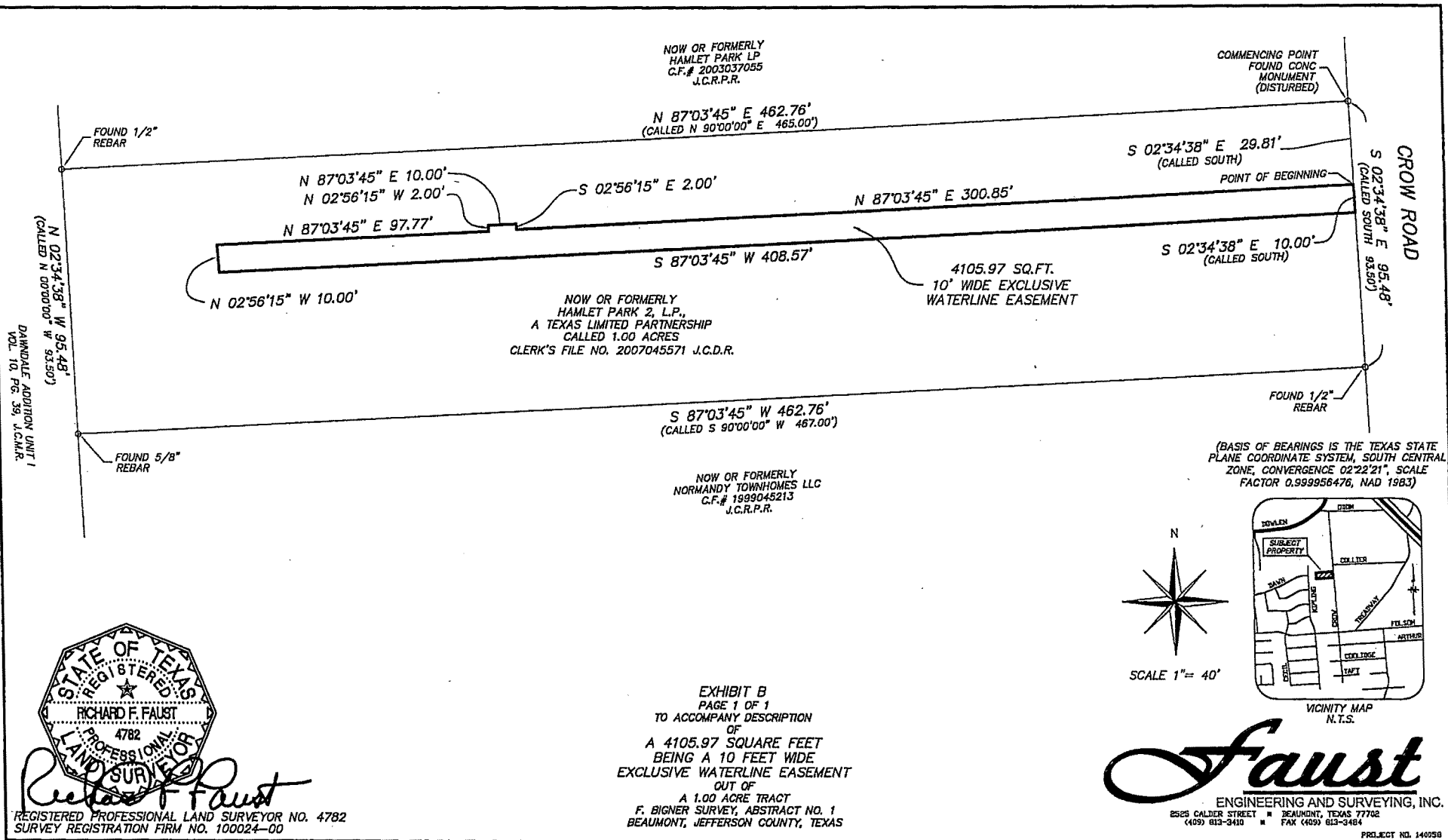
THENCE North 87°03'45" East, a distance of 300.85 feet to the **POINT OF BEGINNING** and containing 4,105.97 square feet of land, more or less.

This description and the accompanying plat were prepared from a Land Title Survey performed under the supervision of Richard F. Faust, P.E., Registered Professional Land Surveyor No. 4782 on October 23, 2014.

Richard F. Faust

Richard F. Faust, P.E.
Registered Professional Land Surveyor No. 4782





BEAUMONT

— T E X A S —

TO: City Council

FROM: Kyle Hayes, City Manager

PREPARED BY: Chris Boone, Director of Planning and Community Development

MEETING DATE: June 30, 2015

REQUESTED ACTION: Council consider a request to abandon a 60'x~660' general utility easement.

BACKGROUND

The City of Beaumont has requested the abandonment of the easement retained when a portion of Jirou Street was abandoned to create Babe Zaharias Park. The City is preparing to construct a new fire station at this location and the easement will be in conflict with the development. The only utility affected will be CenterPoint Energy, who is currently working with Fitz & Shipman, Inc. to relocate the gas main.

At a Joint Public Hearing held June 15, 2015, the Planning Commission recommended 9:0 to approve a request to abandon a 60'x~660' general utility easement.

FUNDING SOURCE

Not applicable.

RECOMMENDATION

Approval of ordinance.

**APPLICATION FOR RIGHT-OF-WAY
OR UTILITY EASEMENT ABANDONMENT
CITY OF BEAUMONT, TEXAS**

THIS IS AN APPLICATION TO ABANDON A: RIGHT-OF-WAY (ROW),

UTILITY EASEMENT (UE)

OR RIGHT-OF-WAY BUT RETAIN UTILITY EASEMENT.

NAME OF APPLICANT: Bernardino Tristan PHONE: 409-832-7238 FAX: 409-832-7303

AUTHORITY OF APPLICANT: Engineer

NAME OF OWNER: City of Beaumont - Dr. Joseph Madjalani,

801 Main Street, Suite 210

ADDRESS: Beaumont TX 77701 PHONE: 409-880-3725 FAX: 409-785-4733

ALL OWNERS ABUTTING THE ROW OR UE MUST SIGN WRITTEN REQUEST.
(PLEASE ATTACH PROPERTY OWNER'S LIST TO THE APPLICATION)

DESCRIPTION OF ROW OR UE TO BE ABANDONED: 60' General Utility Easement (formerly Jirou Right-of-Way)

360 ft west of Gulf Street and 660' south from Caldwell Avenue

PRESENT USE OF ROW OR UE (LIST UTILITIES IF PRESENT) CenterPoint 4" Gas line to be relocated

ATTACH A LETTER STATING THE REASONS FOR THE ABANDONMENT.

LEGAL DESCRIPTION OF PROPERTY:

LOT NO. _____ OR TRACT 0.9050 Acre Tract

BLOCK NO. _____ PLAT _____

ADDITION _____ SURVEY James Drake Survey, Abstract 18

ATTACH A MAP OR PLAT DELINEATING THE PUBLIC ROW OR UE TO BE ABANDONED AND THE LEGAL DESCRIPTION OF ADJACENT PROPERTY (DIMENSIONED AND TO ENGINEERING SCALE).

ATTACH THE \$300.00 APPLICATION FEE, THE ACTUAL COST OF NECESSARY APPRAISALS AND TITLE COMMITMENTS. IF PROPERTY IS ABANDONED, APPRAISED VALUE OF THE FEE INTEREST IN THE PROPERTY SHALL BE CHARGED.

TO THE BEST OF MY KNOWLEDGE, THE ABOVE INFORMATION IS TRUE AND CORRECT.

SIGNATURE OF APPLICANT: Bernardino Tristan DATE: 4-21-2015

PLEASE TYPE OR PRINT AND SUBMIT TO:

PLANNING DIVISION, ROOM 205

CITY HALL, 801 MAIN STREET

BEAUMONT, TX 77701

P.O. BOX 3827 77704

(409) 880-3764 FAX (409) 880-3133

FILE NUMBER: 856-08

DATE RECEIVED: 4/22/15

RECEIPT NUMBER: _____

NOTE: Please print or type your name and then use signature. Separate sheets may be used.

ORDINANCE NO.

ENTITLED AN ORDINANCE VACATING AND
ABANDONING A 60' x ~660' GENERAL UTILITY
EASEMENT (FORMERLY JIROU RIGHT-OF-WAY), CITY
OF BEAUMONT, JEFFERSON COUNTY, TEXAS.

WHEREAS, the City of Beaumont Public Works Department has requested the abandonment of a 60' x ~660' general utility easement (formerly Jirou right-of-way), City of Beaumont, Jefferson County, Texas, as described in Exhibit "A" and shown on Exhibit "B," attached hereto; and,

WHEREAS, the City Council has considered the purpose of said abandonment and is of the opinion that the dedicated waterline easement is no longer necessary for municipal street purposes and the abandonment of said dedicated waterline easement is in the best interest of the City and should be granted;

NOW, THEREFORE, BE IT ORDAINED BY THE
CITY COUNCIL OF THE CITY OF BEAUMONT:

THAT the statements and findings set out in the preamble to this resolution are hereby, in all things, approved and adopted; and,

THAT a 60' x ~660' general utility easement (formerly Jirou right-of-way), City of Beaumont, Jefferson County, Texas, as described in Exhibit "A" and shown on Exhibit "B," attached hereto, be and the same is hereby vacated and abandoned and that title to such property shall revert to and become the property of the persons entitled thereto by law.

PASSED BY THE CITY COUNCIL of the City of Beaumont this the 30th day of
June, 2015.

- Mayor Becky Ames -

Ronald D. Fittz, P.E., R.P.L.S. (1948-1987)
Terry G. Shipman, P.E., Chairman
Billy J. Smith, Jr., President

Consulting Engineers and Land Surveyors
Donald R. King, P.E.
Walter J. Ksiazek, R.P.L.S.

**FIELD NOTE DESCRIPTION
FOR A
0.9050 ACRE TRACT
OUT OF THE
JAMES DRAKE SURVEY, ABSTRACT 18
JEFFERSON COUNTY, TEXAS
APRIL 15, 2015**

That certain 0.9050 acre tract out of the James Drake, Abstract 18, Jefferson County, Texas, for the partial abandonment of a General Utility Easement as described in Ordinance No. 82-81 dated July 27, 1982 and recorded in Volume 2402, Page 373 of the Deed Records of Jefferson County, Texas, said 0.9050 acre is more particularly described by metes and bounds as follows:

Note: Bearings are based on the south right-of-way line of Caldwell Avenue being assumed East.

BEGINNING at a ½" iron pipe found in the south right-of-way line of Caldwell Avenue for the northeast corner of the said general utility easement and the said 0.9050 acre tract from which a ½" iron rod found at the intersection of the said south right-of-way line of Caldwell Avenue and the east right-of-way line of Gulf Street bears East 360.09 feet (called 360.00 feet);

THENCE South 00°02'44" West along the east line of the said general utility easement and the said 0.9050 acre tract a distance of 660.00 feet (called South) to a point for the southeast corner of the said 0.9050 acre tract from which a concrete monument found in the north right-of-way line of IH-10 Service Road bears South 00°02'44" West 209.88 feet (called South);

THENCE North 89°57'16" West along the south line of the said 0.9050 acre tract a distance of 60.26 feet (called 60.00 feet) to a point for the southwest corner of the said 0.9050 acre tract from which a concrete monument found in the said north right-of-way line of IH-10 Service Road bears South 00°02'44" West 209.72 feet;

THENCE North 00°02'44" East along the west line of the said 0.9050 acre tract a distance of 660.15 feet to a point in the said south right-of-way line of Caldwell Avenue for the northwest corner of the said 0.9050 acre tract;

Fittz & Shipman, Inc.

Page 1 of 2

Project No. 14030.0001T4

Plat & Description

1405 Cornerstone Court • Beaumont, Texas 77706 • (409) 832-7238 • fax (409) 832-7303

Tx Board of Prof Engineers Firm No. 1160 • Tx Board of Prof Land Surveyors Firm No. 100186

EXHIBIT "A"

THENCE East along the said south right-of-way line of Caldwell Avenue and the north line of the said 0.9050 acre tract a distance of 59.73 feet (called 60.00 feet) to the **POINT OF BEGINNING**, and containing 0.9050 acres of land, more or less.

This description is based on a survey made by Fittz & Shipman, Inc. during April 2015.

Walter J. Ksiazek
Registered Professional Land Surveyor No. 5321

CALDWELL AVENUE

(ASSUMED BASIS OF BEARINGS)
(CALLED 360.00)
EAST 360.09

FOUND 1/2" IRON ROD

EAST 59.73

POINT OF BEGINNING
FOUND 1/2" IRON PIPE

PARTIAL ABANDONMENT
GENERAL UTILITY EASEMENT
RETAINED BY CITY OF BEAUMONT
ORDINANCE NO. 82-81
JULY 27, 1982

CITY OF BEAUMONT
TAX #043100-000-001100-00000-4
JEFFERSON COUNTY, TEXAS

CITY OF BEAUMONT
TAX #043100-000-001650-00000-8
JEFFERSON COUNTY, TEXAS

N 00°02'44" E 869.67

860.15
0.9050 ACRE
660.00

S 00°02'44" W 869.88
(CALLED SOUTH 870.00)

N 89°57'16" W
80.26

CITY OF BEAUMONT
ABANDONED STREET RETAINED
AS GENERAL UTILITY EASEMENT
ORDINANCE NO. 82-81

209.72

209.88

FOUND CONCRETE MONUMENT

FOUND CONCRETE MONUMENT

FOUND 1/2" IRON ROD

N 89°48'21" W

59.73

N 84°23'10" E 144.35

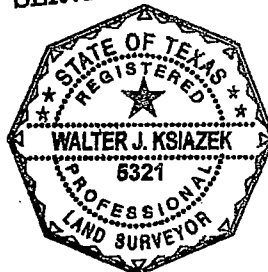
IH-10 SERVICE ROAD

GULF STREET

ISLA AVENUE

I DO HEREBY CERTIFY, TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT THIS IS AN ACCURATE PLAT AND DESCRIPTION OF A SURVEY MADE ON THE GROUND UNDER MY SUPERVISION DURING APRIL 2015.

Walter J. Ksiazek
WALTER J. KSIAZEK
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5321



0 50 100
SCALE

Q:\PROJECTS\14030.0001 - City of Beaumont, Firestation No. 1 (survey & civil)\SURVEY\14030.01Bdry.dwg Apr 17, 2015 10:16am

Fittz & Shipman

Consulting Engineers and Land Surveyors

1405 CORNERSTONE COURT, BEAUMONT, TEXAS
(409) 832-7238 FAX (409) 832-7303
T.B.P.E. FIRM #1160 • T.X.L.S. FIRM #100185

PARTIAL ABANDONMENT OF A GENERAL UTILITY EASEMENT

PROJECT NAME: CITY OF BEAUMONT
JAMES DRAKE SURVEY, ABSTRACT 18
BEAUMONT, TEXAS

EXHIBIT "B"

DATE: 4-15-15

SHEET NO.
TASK 4

2

PROJECT NO.
14030.0001

BEAUMONT

— T E X A S —

TO: City Council

FROM: Kyle Hayes, City Manager

PREPARED BY: Tyrone E. Cooper, City Attorney

MEETING DATE: June 30, 2015

REQUESTED ACTION: Council consider a resolution authorizing the City Attorney to bring suit against Joseph D. Butler to compel him to comply with the City's Health and Safety Codes.

BACKGROUND

Mr. Butler owns the residence located at 2175 West Lucas. He has accumulated trash on his property that violates the City's health and safety ordinances. Mr. Butler has been ticketed for violating the City's ordinances and received notice of the proposed lawsuit. However, he has refused to clean up his property. The City Attorney's Office will seek authorization from the Court to clean Mr. Butler's property and, if he does not pay the costs of the clean-up, place a lien on his property.

FUNDING SOURCE

Liability Trust Fund.

RECOMMENDATION

Approval of resolution.

RESOLUTION NO.

BE IT RESOLVED BY THE CITY COUNCIL

OF THE CITY OF BEAUMONT:

THAT the City Attorney is hereby authorized to file and prosecute a lawsuit against Mr. Joseph D. Butler to compel compliance with the City's Health and Safety Codes.

PASSED BY THE CITY COUNCIL of the City of Beaumont this the 30th day of June, 2015.

- Mayor Becky Ames -

BEAUMONT

— T E X A S —

REGULAR MEETING OF THE CITY COUNCIL COUNCIL CHAMBERS JUNE 30, 2015 1:30 P.M.

AGENDA

CALL TO ORDER

- * Invocation Pledge Roll Call

CANVASSING THE RETURNS OF THE CITY OF BEAUMONT RUN- OFF ELECTION HELD ON JUNE 20, 2015

- * Consider an ordinance canvassing the results of the City of Beaumont Run-Off Election which was held the 20th day of June, 2015, to determine who shall be Councilmember of Ward IV of the City of Beaumont
- * Administration of the oath of office
- * Recess

RECONVENE MEETING

- * Presentations and Recognition
- * Public Comment: Persons may speak on scheduled agenda items 1-4, and 8/Consent Agenda
- * Consent Agenda

GENERAL BUSINESS

1. Consider a resolution authorizing the City Manager to award a bid to SR Tilley Builders, Inc. for the Concrete Rehabilitation of Various Locations Project
2. Consider a resolution approving the purchase of a court management software system from Tyler Technologies for use by Municipal Court
3. Consider a resolution authorizing the City Manager to execute Change Order No. 2, accept maintenance, and authorize a final payment to Reytec Construction Resources, Inc. for the Paving and Drainage Improvements on Magnolia Project
4. Consider a resolution authorizing the City Manager to accept maintenance and authorize a final payment to McInnis Construction, Inc., for the new Fire Station No. 2 Project

5. Consider a request for a specific use permit to allow a retail, used clothing and merchandise store in an RCR (Residential Conservation Revitalization) District at 1795 Park Street
6. Consider a request for a specific use permit to allow a home daycare in an R-S (Residential - Single Family) District at 3590 Bennett Road
7. Consider a request for a specific use permit to allow an automotive repair shop in an NC (Neighborhood Commercial) District at 3135 Park Street

EXECUTIVE SESSION

- * Consider matters related to contemplated or pending litigation in accordance with Section 551.071 of the Government Code:

Samuel and Son Law Firm, P.L.L.C. vs. City of Beaumont

United States v. City of Beaumont

8. Consider a request to conduct a new Public Hearing pertaining to a request for a specific use permit to allow a law office in an RM-H (Residential Multiple Family Dwelling - Highest Density) District at 2226 Hazel Avenue
9. Consider a request for a specific use permit to allow a law office in an RM-H (Residential Multiple Family Dwelling - Highest Density) District at 2226 Hazel Avenue

COMMENTS

- * Councilmembers/City Manager comment on various matters
- * Public Comment (Persons are limited to 3 minutes)

Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services are requested to contact Mitchell Normand at 880-3777 three days prior to the meeting.

June 30, 2015

Consider an ordinance canvassing the results of the City of Beaumont Run-Off Election which was held the 20th day of June, 2015, to determine who shall be Councilmember of Ward IV of the City of Beaumont

BEAUMONT

TEXAS

TO: City Council

FROM: Kyle Hayes, City Manager

PREPARED BY: Tina Broussard, City Clerk, TRMC

MEETING DATE: June 30, 2015

REQUESTED ACTION: Council consider an ordinance canvassing the results of the City of Beaumont Run-Off Election which was held the 20th day of June, 2015, to determine who shall be Councilmember of Ward IV of the City of Beaumont.

BACKGROUND

The Texas Election Code Section §67.003 requires that the election returns be canvassed, and thereby made official not later than the 11th day after the Run-Off election day. Council shall meet and canvass the returns and officially declare the results. This ordinance will canvass the results of the June 20, 2015, Run-Off election to elect one (1) Councilmember for Ward IV, held in the City of Beaumont, Texas.

RECOMMENDATION

Approval of ordinance.

ORDINANCE NO.

AN ORDINANCE CANVASSING THE RETURNS OF THE CITY OF BEAUMONT RUN-OFF ELECTION HELD ON THE 20TH DAY OF JUNE, 2015, FOR THE PURPOSE OF ELECTING A COUNCILMEMBER FOR WARD IV; AND PROVIDING FOR SEVERABILITY.

WHEREAS, the City Council of the City of Beaumont, in regular session on May 19, 2015, duly called the Run-Off Election to be held on the 20th of June, 2015, and the election returns of the ballots cast in said election were canvassed for the following officials: Councilmember for the office of Ward IV; and,

WHEREAS, after duly canvassing said returns, the City Council finds that the votes cast at said election for the candidates for said offices are as follows:

<u>Councilmember Ward IV:</u>	<u>Votes</u>	<u>Percentage</u>
Melanie Fontenot Smith	791	47.82%
Robin Donatta Mouton	863	52.18%

;

NOW, THEREFORE, BE IT ORDAINED BY THE
CITY COUNCIL OF THE CITY OF BEAUMONT:

Section 1.

That the results of said Run-Off Election be and the same are hereby declared to have been as herein set out, and the following named person was elected to the respective position subject to the taking of her oath of office as provided by the laws of the State of Texas:

For Ward Councilmember (Ward IV): Robin Donatta Mouton

Section 2.

The City Council of the City of Beaumont further finds that notice of said Run-off election was duly and properly given as required by law, and that said election was duly held and returns thereof were duly made by the proper officials of said election and in all things according to law.

Section 3.

That if any section, subsection, sentence, clause, or phrase of this ordinance or the application of same to a particular person, or to a particular set of circumstances, should for any reason be held invalid, such invalidity shall in no way affect the remaining portions of this ordinance and to such end, the various portions and provisions of this ordinance are declared to be severable.

PASSED BY THE CITY COUNCIL of the City of Beaumont this the 30th day of June, 2015.

-Mayor Becky Ames-

June 30, 2015

Consider a resolution authorizing the City Manager to award a bid to SR Tilley Builders, Inc. for the Concrete Rehabilitation of Various Locations Project

BEAUMONT

TEXAS

TO: City Council

FROM: Kyle Hayes, City Manager

PREPARED BY: Joseph Majdalani, Public Works Director JM

MEETING DATE: June 30, 2015

REQUESTED ACTION: Council consider a resolution authorizing the City Manager to award a bid to SR Tilley Builders, Inc. of Vidor in the amount of \$3,450,445.00 for the Concrete Rehabilitation of Various Locations Project.

BACKGROUND

The Concrete Rehabilitation of Various Locations Project consists of saw cutting, removing cracked and broken existing concrete pavements, repair and compact to existing base course, and placement of new reinforced concrete pavement on various concrete pavement locations throughout the City of Beaumont.

On May 21, 2015, three (3) formal bids were received. The bid total is shown below with the unit cost tabulation attached.

Contractor	Location	Bid
SR Tilley Builders, Inc.	Vidor	\$3,450,445.00
Excavators & Constructors, LTD.	Port Arthur	\$3,600,144.19
Brystar contracting, Inc.	Beaumont	\$3,946,544.00

A total of 270 calendar days is allocated in the completion of the project.
SR Tilley Builders, Inc., is a Registered Minority Business Enterprise (MBE) in the City of Beaumont.

FUNDING SOURCE

Capital Program.

RECOMMENDATION

Approval of resolution.

CITY OF BEAUMONT
BID TAB
CONCRETE REHABILITATION OF VARIOUS LOCATION
PW0415-06

Item No.	Item Code	Alt	Description	Unit Measure	Estimated Quantity	SR TILLEY BUILDERS, INC.		EXCAVATORS & CONSTRUCTORS, LTD.		ALLCO INC.	
						Unit Price	Total	Unit Price	Total	Unit Price	Total
361	3200		FULL DEPTH CONCRETE REPAIR (6") CPJR (CLASS P)	SY	11,503.90	\$145.00	\$1,668,065.50	\$146.53	\$1,685,666.47	\$165.00	\$1,898,143.50
361	3202		FULL DEPTH CONCRETE REPAIR (10") CPJR (HES)	SY	8,850.70	\$185.00	\$1,637,379.50	\$184.09	\$1,629,325.36	\$215.00	\$1,902,900.50
361	3204		FULL DEPTH CONCRETE REPAIR (12") CPJR (HES)	SY	500.00	\$200.00	\$100,000.00	\$201.97	\$100,985.00	\$255.00	\$127,500.00
502	2001		BARRICADES, SIGNS AND TRAFFIC HANDLING	MON	9.00	\$5,000.00	\$45,000.00	\$20,463.04	\$184,167.36	\$2,000.00	\$18,000.00
			TOTAL COST			\$3,450,445.00		\$3,600,144.19		\$3,946,544.00	

BEAUMONT

Finance

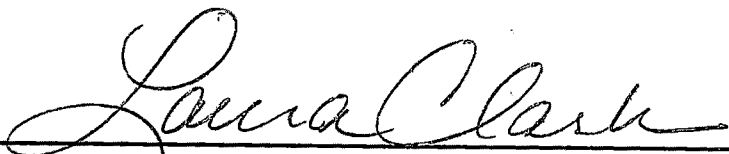
City of Beaumont, Texas

Certifies that

SR TILLEY BUILDERS, INC.

*Meets all the criteria established by the City of Beaumont,
and thereby is duly registered as a Minority Business Enterprise,
to do business with the City of Beaumont and its agents as such.*

This certification is valid until June 12, 2017.



Laura H. Clark, CPA, Chief Financial Officer

June 12, 2015

Certification Date

CITY OF BEAUMONT, TEXAS
PLANS
FOR
CONCRETE REHABILITATION OF
VARIOUS LOCATIONS
MAY 2015

BECKY AMES
MAYOR

W.L. PATE, JR.
COUNCILMEMBER AT LARGE, MAYOR PROTEM

GETHEL "GET" WILLIAMS-WRIGHT
COUNCILMEMBER AT LARGE

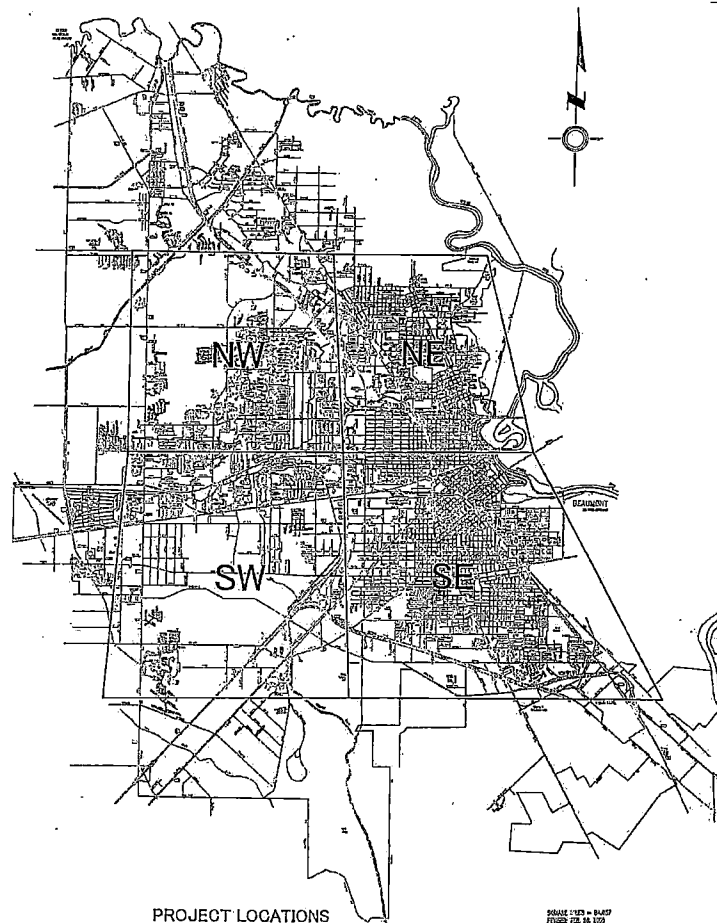
DR. ALAN COLEMAN
COUNCILMEMBER WARD I

MIKE GETZ
COUNCILMEMBER WARD II

AUDWIN M. SAMUEL
COUNCIL MEMBER WARD III

BILL SAM
COUNCIL MEMBER WARD IV

KYLE HAYES
CITY MANAGER



INDEX OF SHEETS

SHEET NO.	DESCRIPTION
2-3	GENERAL NOTES
4	ESTIMATE SHEET
5-6D	SUMMARY SHEETS.
7-11	LOCATION MAPS
12	*EDGE CONDITION TREATMENT
13-24	*BC(1-12)-07
25	*TCP (1-2)-12
26	*TCP (1-4)-12
27-47	PLAN VIEW SHEETS (CROW RD, FOLSOM & EAST LUCAS)
48	FULL-DEPTH CONCRETE PAVEMENT REPAIR DETAILS
49	CONCRETE PAVEMENT DETAIL
50	*CONCRETE PAVEMENT JOINT SEALANT DETAIL
51	CURB AND CURB & GUTTER DETAILS
52	*EPIC

PROJECT LOCATIONS
BEAUMONT

SCALE : N.T.S.

DR. JOSEPH G. MAJDALANI, P.E. No. 73380
PUBLIC WORKS DIRECTOR

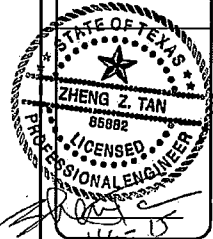
ZHENG TAN, P.E. No. 85882
CITY ENGINEER

CONCRETE STREET REHABILITATION 2015																		
WARD	ID NO.	REPAIR	ADDRESS	LOCATION				10X	13.5X	15X	WIDTH OF PATCH(FT)					TOTAL SY.		
				TRAVEL LANE							16.5X	24X	30X	48X	60X			
				RIGHT		LEFT												
				OUT	IN	IN	OUT											
BEAUMONT																		
3	44	1685					X	450										072.0
DELAWARE (10' HES)																		
3	45	2000		X				60										100.0
3	46	2200					X	80										133.3
3	47	2300		X				100										166.7
3	48	2330					X	120										200.0
MARGO																		
3	49	5460		X			X	150										270.0
MAYHAW																		
3	50	6135					X	3										3.3
PARK NORTH																		
3	51	7480		X				45										67.5
3	52	7500		X				60										90.0
3	53	7500					X	15										22.5
3	54	7810		X				60										100.0
ROSLYN																		
3	55	10940					X	30										45.0
SHERMAN																		
3	56	880					X	100										100.0
YOUNGSTOWN																		
3	57	9810		X				60										120.0
23RD																		
4	58	@ MILAM					X	30										90.0
SOUTH 4TH (10' HES)																		
4	59	3400		X									400					2133.3
4	60	3700		X									12					92.0
4	61	@ SOUTHERLAND		X										400				2008.7
BASIN																		
4	62	2195					X	30										133.3
BRYANT WAY																		
4	63	1400		X			X	100										337.5
4	64	1575					X	50										105.0
CARTWRIGHT																		
4	65	4810					X	60										60.0
CORLEY																		
4	66	4695		X									30					100.0
4	67	4230					X	300										500.0
4	68	3700					X	100										200.0
4	69	3760					X	10										11.1
4	70	3500					X	20										50.0
FLORIDA																		
4	71	1100		X				15										26.0
4	72	1030					X						40					133.3
4	73	800					X						60					200.0
4	74	635					X	3	26									43.3
BRIGGS																		
4	75	151		X				40										60.0
4	76	230					X						100					320.0
4	77	272					X	3	60									90.0
BAYOU																		
4	78	4250		X				20										30.0
RUTH																		
4	79	11		X									60					100.0
4	80	87					X						60					100.0
LeBLUE																		
4	81	3815		X									70					116.6
LIBERTY																		
4	82	2390					X	30										45.0
PROCTOR																		
4	83	4000					X	100										150.0
RAVEN																		
4	84	4400					X	100										150.0
S. 11TH (12' HES)																		
4	85	1200					X						100					333.3
4	86	2630					X	130										166.7
TOTAL (SF)								19	1030	1578	295	232	230	400	400	0	0	
PAGE TOTALS (SY)								114	10300	15936	3105	4763	4600	6600	10000	0	0	10897.8
TABLE TOTALS (SY)								12.7	1144.4	2104	411.7	532	511.1	977.8	1111.1	0	0	

*CONCRETE CURB IS NOT PAID FOR SEPARATELY AND SHALL BE CONSIDERED SUBSIDIARY TO ITEM 361.

Rev. Description/Issued Date

CITY OF BEAUMONT, TEXAS
CONCRETE REHABILITATION PROJECT 2015
CITY WIDE



BEAUMONT
Public Works

CONCRETE
REPAIR
SUMMARY

SHEET 1 OF 6

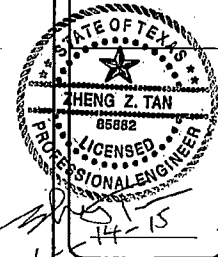
DATE: 4/20/14
REV: 5

CONCRETE STREET REHABILITATION 2015																
WARD	REPAIR ID NO.	ADDRESS	LOCATION				10X	13.5X	15X	WIDTH OF PATCH (FT)					TOTAL SY	
			TRAVEL LANE							16.5X	24X	30X	48X	60X		
			RIGHT	LEFT												
			OUT	IN	IN	OUT										
1	1	1510				X		10							11	
1	2	1530	X									20			68	
1	3	1575				X						20			65	
1	4	1580	X									20			63	
1	5	7195				X		60							90	
1	6	4110				X						200			668	
1	7	7355	X					70							112	
1	8	2005	X					60							60	
2	9	6345	X			X				240					400	
2	10	6 SAMS WAY				X				40					75	
2	11	3915	X					60							90	
2	12	7475	X			X					75				200	
2	13	7600	X			X				60					100	
2	14	7635				X				50					135	
2	15	7650	X							30					45	
2	16	850	X												135	
2	17	6 GLADYS				X									11	
2	18	450	X							40					68	
2	19	6 LONGMEADOW DR				X				150					168	
2	20	16 LAWRENCE DR	X			X					300				550	
2	21	1070	X							120					200	
2	22	9390	X						30						45	
2	23	7095	X						60						90	
2	24	5890	X							50					63	
2	25	2335	X						60						60	
2	26	1830	X							75					112	
2	27	3540	X						45						87	
2	28	3680	X						30						45	
2	29	3650				X			75						112	
2	30	3703	X			X						24			80	
2	31	6 GLEN EAGLE	X						30						45	
2	32	6 COLONIAL	X						300						450	
2	33	6 SHADOWBEND	X						300						450	
2	34	3800	X						300						450	
2	35	4400	X						75						112	
2	36	3840	X						30						45	
2	37	3910	X						90						135	
2	38	3940	X						90						135	
2	39	7840	X						60						90	
2	40	4465	X						90						135	
2	41	7445	X						90						135	
2	42	3820	X						45						87	
2	43	3980							45						87	
TOTAL (SF)		TOTAL (LF)						20	2385	855	300	75	284	0	0	0
PAGE TOTALS (SY)								120	23550	7680	3500	1425	6680	0	0	0
TABLE TOTALS (SY)								13.3	2627.8	873.3	433.3	158.3	621.1	0	0	0
8,358.1																

*CONCRETE CURB IS NOT PAID FOR SEPARATELY AND SHALL BE CONSIDERED SUBSIDIARY TO ITEM 301.

No. Revision/Issue Date

CITY OF BEAUMONT, TEXAS
CONCRETE REHABILITATION PROJECT 2015
CITY WIDE



BEAUMONT
Public Works

CONCRETE
REPAIR
SUMMARY

SHEET 2 OF 6

DATE: 06/02/11
SHEET NO. 6
REV.

LIBERTY STREET (10" HES)						
LOCATION			WIDTH OF PATCH(FT)			
STREET ADDRESS	TRAVEL LANE		13.5X	27X	TOTAL	CURB
	WEST BOUND					
	OUTSIDE	INSIDE				
1793	X		30		45.0	30
2015		X	30		45.0	30
2076	X		30		45.0	30
2137		X	15		22.5	15
2247		X	60		90.0	60
2262	X	X		30	90.0	60
2275	X		60		90.0	60
2375		X	15		22.5	15
2485	X		30		45.0	30
2630	X	X		160	480.0	320
TOTAL (LF)			270	190		
TOTAL (SF)			3845	4560	975.0	650
TOTAL (SY)			405.0	506.7		
TABLE TOTAL (SY)			911.7			

*CONCRETE CURB IS NOT PAID FOR SEPARATELY AND SHALL BE CONSIDERED SUBSIDIARY TO ITEM 361.

LAUREL STREET (10" HES)					
LOCATION				WIDTH OF PATCH(FT)	
STREET ADDRESS	TRAVEL LANE		13.5X	TOTAL	CURB
	WEST BOUND				
	OUTSIDE	INSIDE			
2190	X		120	180.0	120
2445	X		30	45.0	30
TOTAL (LF)			150		
TOTAL (SF)			2025	225.0	160
TOTAL(SY)			225.0		
TABLE TOTAL(SY)			225.0		

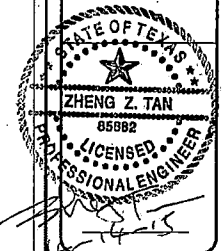
*CONCRETE CURB IS NOT PAID FOR SEPARATELY AND SHALL BE CONSIDERED SUBSIDIARY TO ITEM 361.

SHADOW BEND (6" CLASS P)						
LOCATION			WIDTH OF PATCH(FT)			
STREET ADDRESS	TRAVEL LANE		13.5X	27X	TOTAL	CURB
	WEST BOUND					
	OUTSIDE	INSIDE				
@ S. OAK LEIGHTER	X			45	135.0	90
@ N. OAK LEIGHTER		X		15	45.0	30
TOTAL (LF)			0	60		
TOTAL (SF)			0	1620	180.0	
TOTAL(SY)			0.0	180.0		120
TABLE TOTAL(SY)				180.0		

*CONCRETE CURB IS NOT PAID FOR SEPARATELY AND SHALL BE CONSIDERED SUBSIDIARY TO ITEM 361.

Rev	Revision/Issue	Date

CITY OF BEAUMONT, TEXAS
CONCRETE REHABILITATION PROJECT 2015
CITY WIDE



BEAUMONT
Public Works

**CONCRETE
REPAIR
SUMMARY**

SHEET 3 OF 6

DATE: 06/20/15	REV: 6A
----------------	---------

* CURB LENGTHS ARE FOR INFORMATION ONLY*

FOLSOM RD (10" HES)															
STATION	LOCATION				WIDTH OF PATCH(FT)										TOTAL
	TRAVEL LANE:				3X	4X	5X	6X	7X	8X	10X	12X	18X	20X	
	WEST BOUND		EAST BOUND												
	OUTSIDE	INSIDE	INSIDE	OUTSIDE											
0+00 @ CROW RD.															
0+44				X						9					7.6
0+50								8							4.4
2+13				X			3								1.3
3+14	X	X		X	X	24									6.0
4+14				X						5					3.9
5+10	X											4			5.3
5+56	X							4							2.2
6+58					X			4							1.8
6+72	X	X				12									4.0
7+12	X	X			X	12				4					6.7
7+47	X												51		41.3
8+08				X									6		6.7
8+65	X												6		5.0
9+13		X		X		12									4.0
9+53	X												14		16.7
10+10	X												3		4.0
10+13				X	X	12									4.0
10+75	X					3									1.0
11+17				X				4							2.2
11+47				X	X			12							6.7
11+53		X											4		5.3
11+75	X												4		5.3
12+10					X	3									1.0
12+13					X			3							1.0
13+27				X	X				10		10				15.3
14+14				X	X	12									4.0
14+39				X	X	12									4.0
15+12	X	X						6					6		10.2
15+53		X		X				12							5.3
15+55					X	3									1.0
16+14	X	X		X		18									2.3
16+69				X	X				12						6.7
16+80				X	X	3							3		5.0
17+12		X		X		6									2.0
17+15				X	X	12									4.0
17+37	X								18						10.0
17+62	X									3					2.0
18+14				X	X	12									4.0
18+57				X	X										5.3
18+80	X							3							1.3
19+58	X								7						3.9
20+64	X		X			12									4.0
20+92			X			6									2.0
21+63		X		X		6									2.0
21+83	X								6						4.0
22+07	X							50							16.7
22+51	X												19		25.3
22+65				X	X	12		6							6.7
23+33					X								3		4.0
23+65				X	X	12									4.0
24+02					X			3							1.7
24+14					X			8							4.4
24+65		X		X	X	18			6						10.0
25+25	X												21		28.0
25+45					X				50						20.0
25+80	X												6		6.7
25+85				X									9		6.7
26+05	X												73		8.1
26+45														20	26.7
26+57				X	X	6		6							5.3
26+97				X									17		22.7
27+14		X											4		5.3
TOTAL (LF)					228	49	122	49	24	0	0	247	0	0	
TOTAL (SF)					684	196	610	284	168	0	0	2964	0	0	
TOTAL (SY)					76.0	21.8	67.8	32.7	18.7	0.0	0.0	329.3	0.0	0.0	452.7
TABLE TOTAL (SY)					546.3										

*CONCRETE CURB IS NOT PAID FOR SEPARATELY AND SHALL BE CONSIDERED SUBSIDIARY TO ITEM 381.

No. Revision/Issue Date

CITY OF BEAUMONT, TEXAS
CONCRETE REHABILITATION PROJECT 2015
CITY WIDE



BEAUMONT
Public Works

CONCRETE
REPAIR
SUMMARY

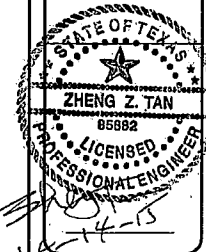
SHEET 4 OF 6

DATE: 10/20/15
SHEET NO: 68

CROW RD (10" HES)															
STATION	LOCATION				3X	4X	5X	6X	7X	8X	10X	12X	18X	20K	TOTAL
	TRAVEL LANE		NORTH BOUND	SOUTH BOUND											
	OUTSIDE	INSIDE		WIDE											OUTSIDE
0+00 (D) DOWN EN RD.															
1100	X												11		1
1110	X			X							20			20	1
1127													1		1
1125		X											6		6
1127		X	X	X	X								6		6
1125		X					14						1		15
1278	X											2			2
1400				X									8		8
1405				X											1
2115					X										1
2118	X														1
2120		X													1
2125			X												1
2135			X		X										1
2140			X		X										1
2145			X		X										1
2147			X		X										1
2148			X		X										1
2149		X	X	X	X										1
2150			X	X	X										1
2151			X	X	X										1
2152			X	X	X										1
2153			X	X	X										1
2154			X	X	X										1
2155			X	X	X										1
2156			X	X	X										1
2157	X														1
2158		X													1
2159		X	X	X	X										1
2160		X	X	X	X										1
2161		X	X	X	X										1
2162		X	X	X	X										1
2163		X	X	X	X										1
2164		X	X	X	X										1
2165		X	X	X	X										1
2166		X	X	X	X										1
2167		X	X	X	X										1
2168		X	X	X	X										1
2169		X	X	X	X										1
2170		X	X	X	X										1
2171		X	X	X	X										1
2172		X	X	X	X										1
2173		X	X	X	X										1
2174		X	X	X	X										1
2175		X	X	X	X										1
2176		X	X	X	X										1
2177		X	X	X	X										1
2178		X	X	X	X										1
2179		X	X	X	X										1
2180		X	X	X	X										1
2181		X	X	X	X										1
2182		X	X	X	X										1
2183		X	X	X	X										1
2184		X	X	X	X										1
2185		X	X	X	X										1
2186		X	X	X	X										1
2187		X	X	X	X										1
2188		X	X	X	X										1
2189		X	X	X	X										1
2190		X	X	X	X										1
2191		X	X	X	X										1
2192		X	X	X	X										1
2193		X	X	X	X										1
2194		X	X	X	X										1
2195		X	X	X	X										1
2196		X	X	X	X										1
2197		X	X	X	X										1
2198		X	X	X	X										1
2199		X	X	X	X										1
2200		X	X	X	X										1
2201		X	X	X	X										1
2202		X	X	X	X										1
2203		X	X	X	X										1
2204		X	X	X	X										1
2205		X	X	X	X										1
2206		X	X	X	X										1
2207		X	X	X	X										1
2208		X	X	X	X										1
2209		X	X	X	X										1
2210		X	X	X	X										1
2211		X	X	X	X										1
2212		X	X	X	X										1
2213		X	X	X	X										1
2214		X	X	X	X										1
2215		X	X	X	X										1
2216		X	X	X	X										1
2217		X	X	X	X										1
2218		X	X	X	X										1
2219		X	X	X	X										1
2220		X	X	X	X										1
2221		X	X	X	X										1
2222		X	X	X	X										1
2223		X	X	X	X										1
2224		X	X	X	X										1
2225		X	X	X	X										1
2226		X	X	X	X										1
2227		X	X	X	X										1
2228		X	X	X	X										1
2229		X	X	X	X										1
2230		X	X	X	X										1
2231		X	X	X	X										1
2232		X	X	X	X										1
2233		X	X	X	X										1
2234		X	X	X	X										1
2235		X	X	X	X										1
2236		X	X	X	X										1
2237		X	X	X	X										1
2238		X	X	X	X										1
2239		X	X	X	X										1
2240		X	X	X	X										1
2241		X	X	X	X										1
2242		X	X	X	X										1
2243		X	X	X	X										1
2244		X	X	X	X										1
2245		X	X	X	X										1
2246		X	X	X	X										1
2247		X	X	X	X										1
2248		X	X	X	X										1
2249		X	X	X	X										1
2250		X	X	X	X										1
2251		X	X	X	X										1
2252		X	X	X	X										1
2253		X	X	X	X										1
2254		X	X	X	X										1
2255		X	X	X	X										1
2256		X	X	X	X										1
2257		X	X	X	X										1
2258		X	X	X	X										1
2259		X	X	X	X										1
2260		X	X	X	X										1
2261		X	X	X	X										1
2262		X	X	X	X										1
2263		X	X	X	X										1
2264		X	X	X	X										1
2265		X	X	X	X										1
2266		X	X	X	X										1
2267		X	X	X	X										1
2268		X	X	X	X										1
2269		X	X	X	X										1
2270		X	X	X	X										1
2271		X	X	X	X										1
2272		X	X	X	X										1
2273		X	X	X	X										1
2274		X	X	X	X										1
2275		X	X	X	X										1
2276		X	X	X	X										1
2277		X	X	X	X										1
2278		X	X	X	X										1
2279		X	X	X	X										1
2280		X	X	X	X										1
2281		X	X	X	X										1
2282		X	X	X	X										1
2283		X	X	X	X										1
2284		X	X	X	X									</	

CONCRETE CURB IS NOT PAID FOR SEPARATELY AND SHALL BE CONSIDERED SUBORDINARY TO ITEM 551.

CITY OF BEAUMONT, TEXAS
CONCRETE REHABILITATION PROJECT 2015
CITY WIDE



BEAUMONT
Public Works

CONCRETE
REPAIR
SUMMARY

SHEET 6 OF 6

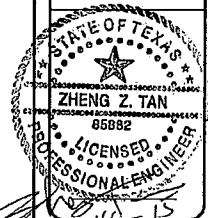
DATE: 10/20/15
REV: 60

EAST LUCAS (10" HES)											
LOCATION					WIDTH OF PATCH(FT)					TOTAL SY	CURB LF
STATION	TRAVEL LANE				3X	5X	6X	9X	12X		
	EASTBOUND		CENTER LEFT TURN LANE	WESTBOUND							
0+00 @ WEST LUCAS	OUT	IN			IN	OUT					
0+28				X						6	8.0
0+30			X					3			2.0
0+50			X	X		3		3	6		3.0
0+60				X		3					1.0
0+79	X									146	194.7
0+99		X						4			2.7
2+19				X	X					6	8.0
2+39					X			3			2.0
3+20		X		X					6		6.2
3+73					X			16			10.7
3+76				X		3					1.0
3+77				X			5				2.8
4+16		X								8	10.7
4+19					X					20	26.7
4+38		X				5					1.7
4+46		X								3	4.0
4+70	X	X				7		7			7.0
4+72					X		8				4.4
5+20	X	X								12	16.0
5+23				X	X	18					6.0
5+36		X							38		38.0
5+39				X						7	9.3
6+20		X			X				3	3	7.0
6+25	X									5	6.7
6+26				X						48	5.3
6+40		X			X					6	8.0
6+62		X		X						12	16.0
6+82				X	X	10	3				4.7
7+30				X			3				1.7
7+42				X						13	17.3
TOTAL (LF)						49	19	36	53	295	
TOTAL (SF)						294	190	468	1378	10620	
TOTAL(SY)						32.7	21.1	52.0	153.1	1180.0	432.4
TABLE TOTAL(SY)						432.4					
											210

*CONCRETE CURB IS NOT PAID FOR SEPARATELY AND SHALL BE CONSIDERED SUBSIDIARY TO ITEM 361.

No. Revision/Issue Date

CITY OF BEAUMONT, TEXAS
CONCRETE REHABILITATION PROJECT 2015
CITY WIDE

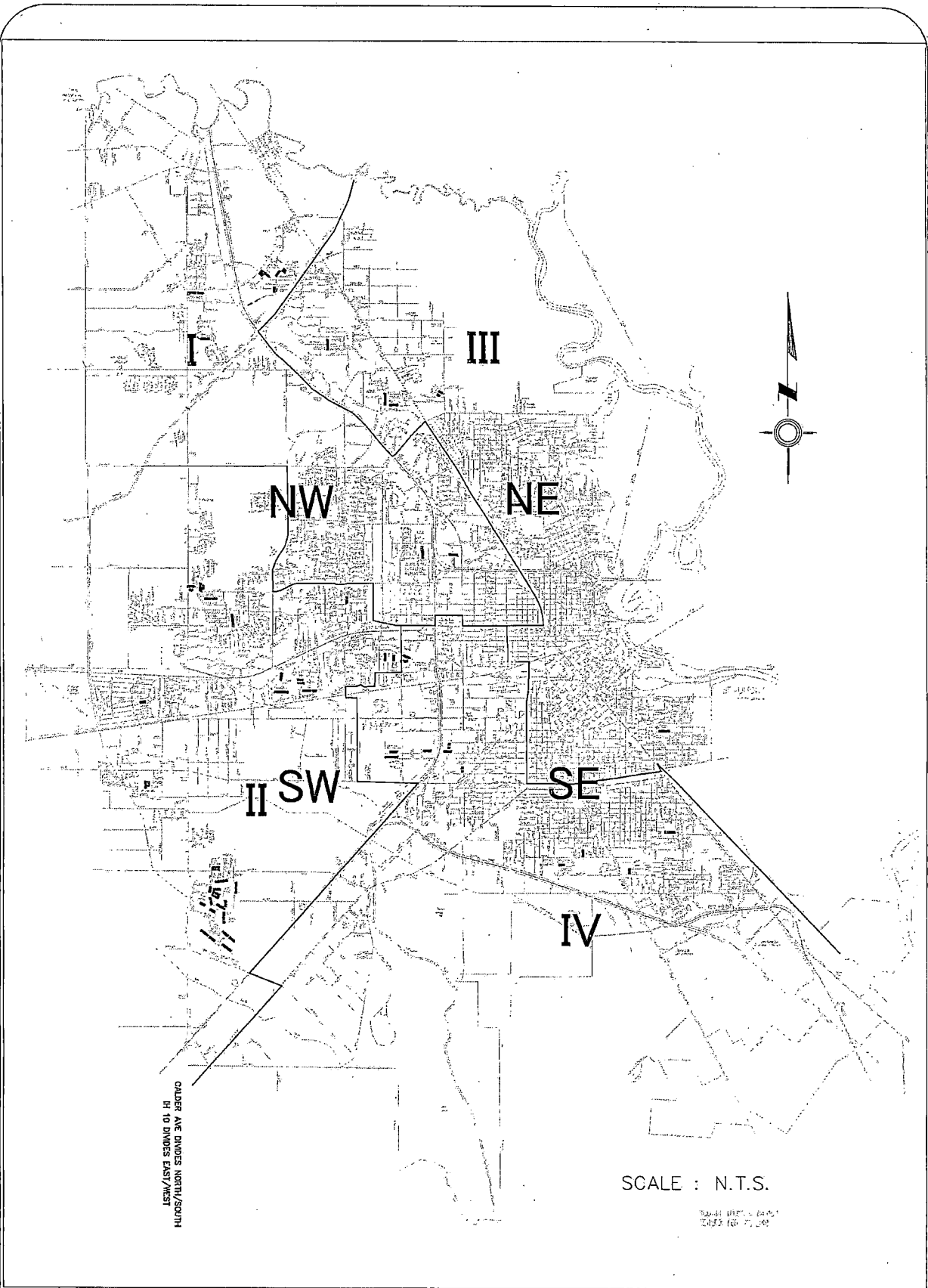


BEAUMONT
Public Works

CONCRETE
REPAIR
SUMMARY

SHEET 6 OF 6

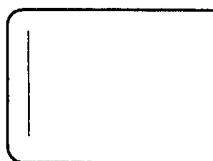
DATE: 10/2/2015
SHEET NO. 6D
REV:



DATE	10/11/11	BY	10/11/11
LOCAL	10/11/11	DATE	10/11/11
DATE	10/11/11	DATE	10/11/11
DATE	10/11/11	DATE	10/11/11

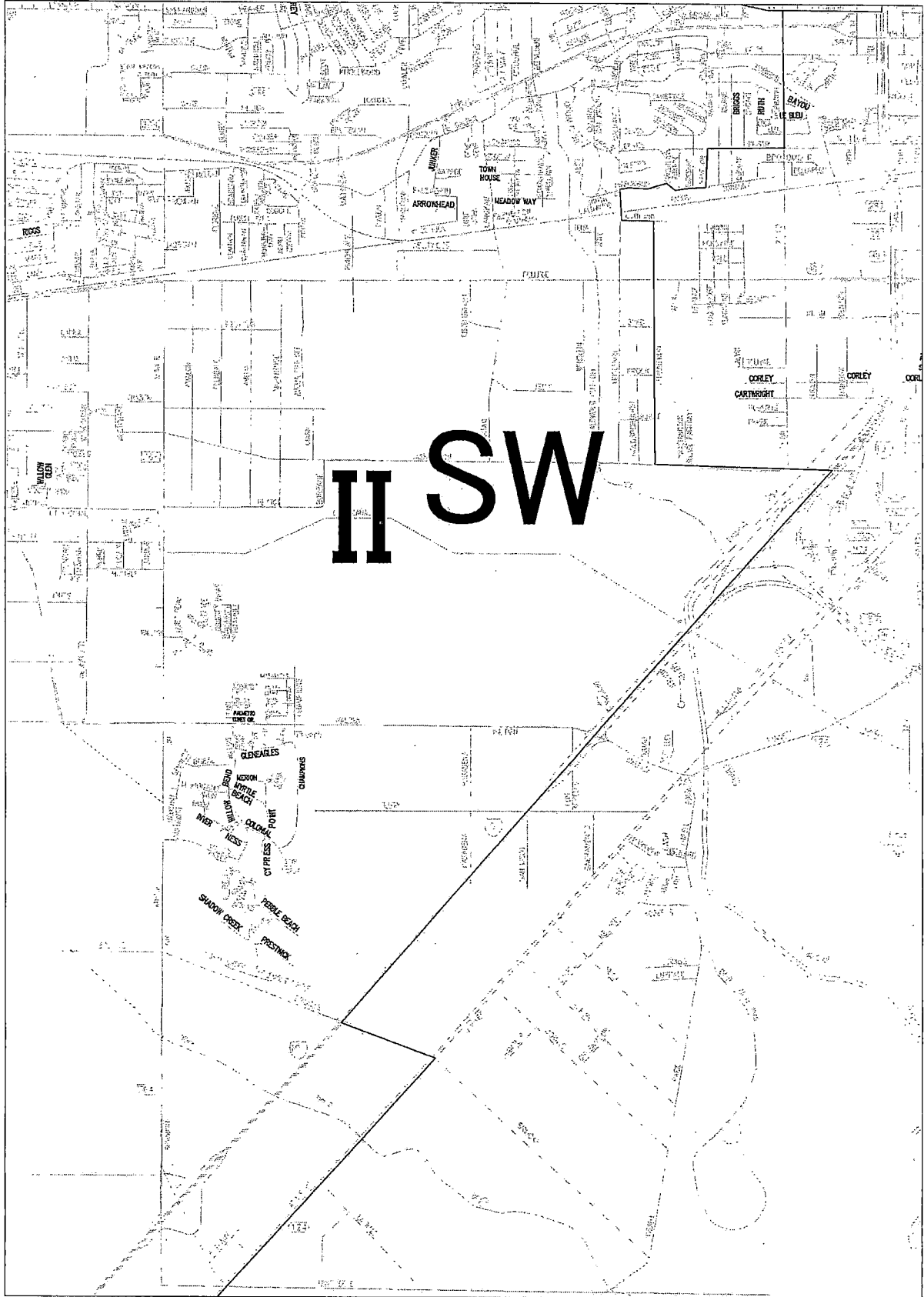
LOCATION
MAP
FULL

BEAUMONT
TEXAS



CITY OF BEAUMONT, TEXAS
CONCRETE REHABILITATION PROJECT 2015
CITY WIDE

DATE	10/11/11	BY	10/11/11
DATE	10/11/11	DATE	10/11/11
DATE	10/11/11	DATE	10/11/11
DATE	10/11/11	DATE	10/11/11



II SW

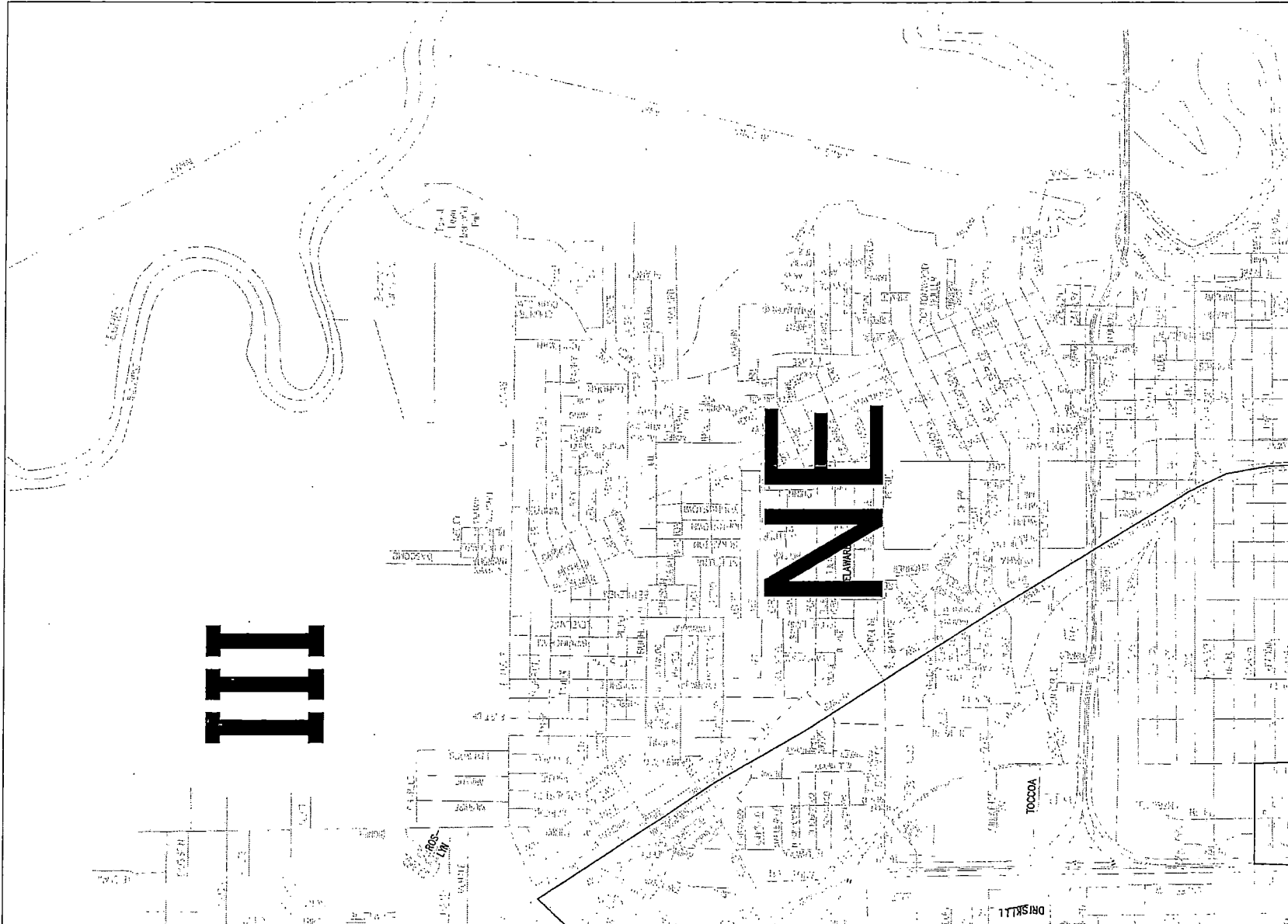
DATE	10/20/14
BY	10/20/14
SCALE	1" = 100'
SHEET NO.	8
TOTAL SHEETS	10

**PLAN
SHEETS
SOUTHWEST**

BEAUMONT
Texas

**CITY OF BEAUMONT, TEXAS
CONCRETE REHABILITATION PROJECT 2015
CITY WIDE**

Doc. Number/Type	Date



File	Revision/Issue	Date

CITY OF BEAUMONT, TEXAS
CONCRETE REHABILITATION PROJECT 2015
CITY WIDE

BEAUMONT
 Public Works

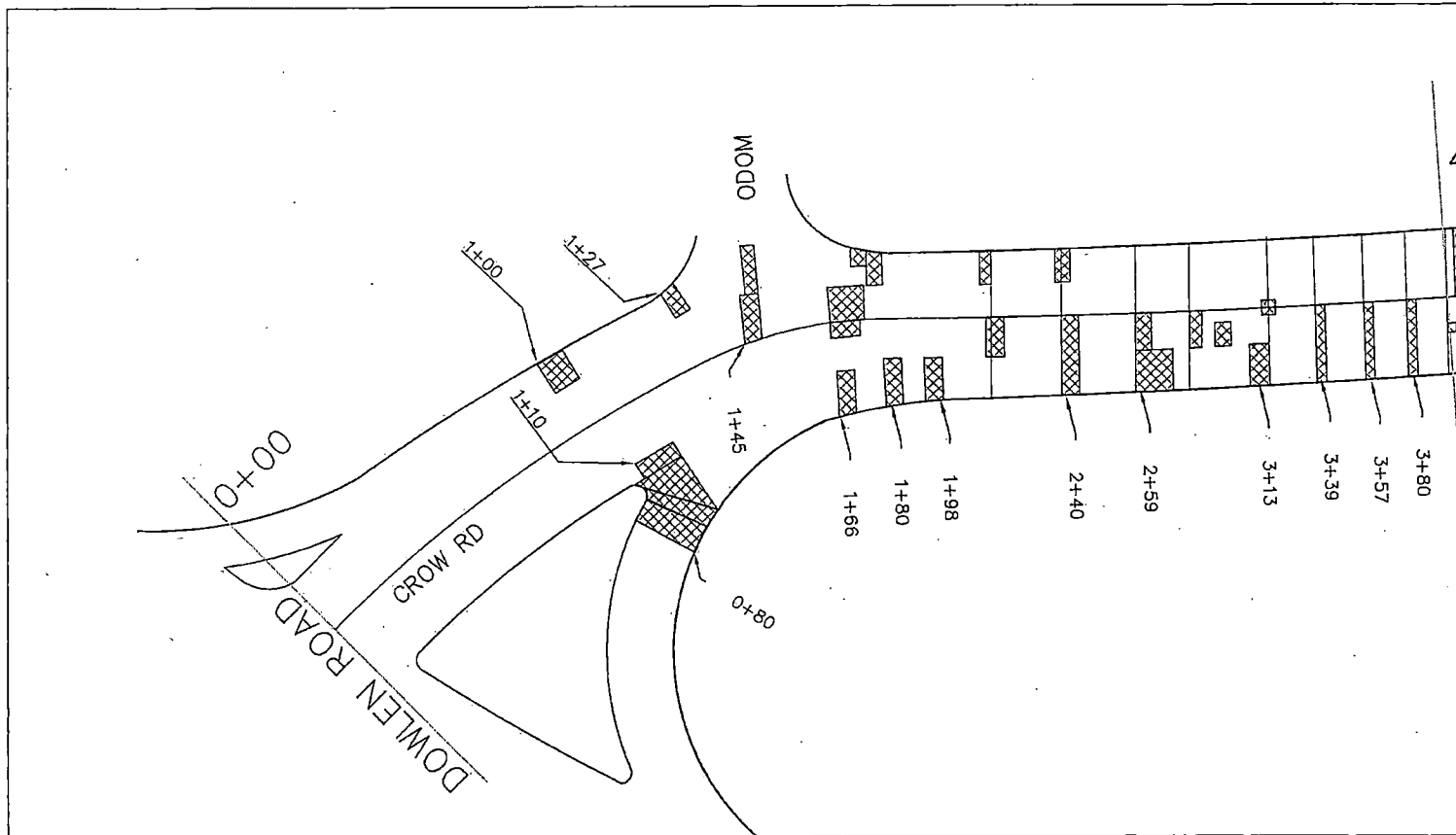
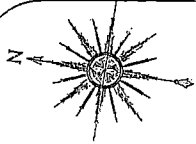
PLAN
SHEETS
NORTHEAST

DATE: 02/02/14	REV: 10
----------------	---------

SE

IV

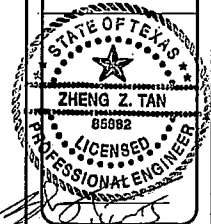
Rev.	Description/Notes	Date
CITY OF BEAUMONT, TEXAS CONCRETE REHABILITATION PROJECT 2015 CITY WIDE		
BEAUMONT Public Works		
PLAN SHEETS SOUTHEAST		
UP R. 00	U. 01 02	APP R. 00
CALL	SHEET NO. 11	
RTA:	REV:	
DATE: 4/3/2014		



- * THIS PLAN SHEET IS FOR INFORMATION ONLY
- * ENGINEER SHALL MARK AND VERIFY ALL REPAIR LOCATIONS PRIOR TO REMOVAL

No.	Revision/Issue	Date

CITY OF BEAUMONT, TEXAS
CONCRETE REHABILITATION PROJECT 2015
CITY WIDE

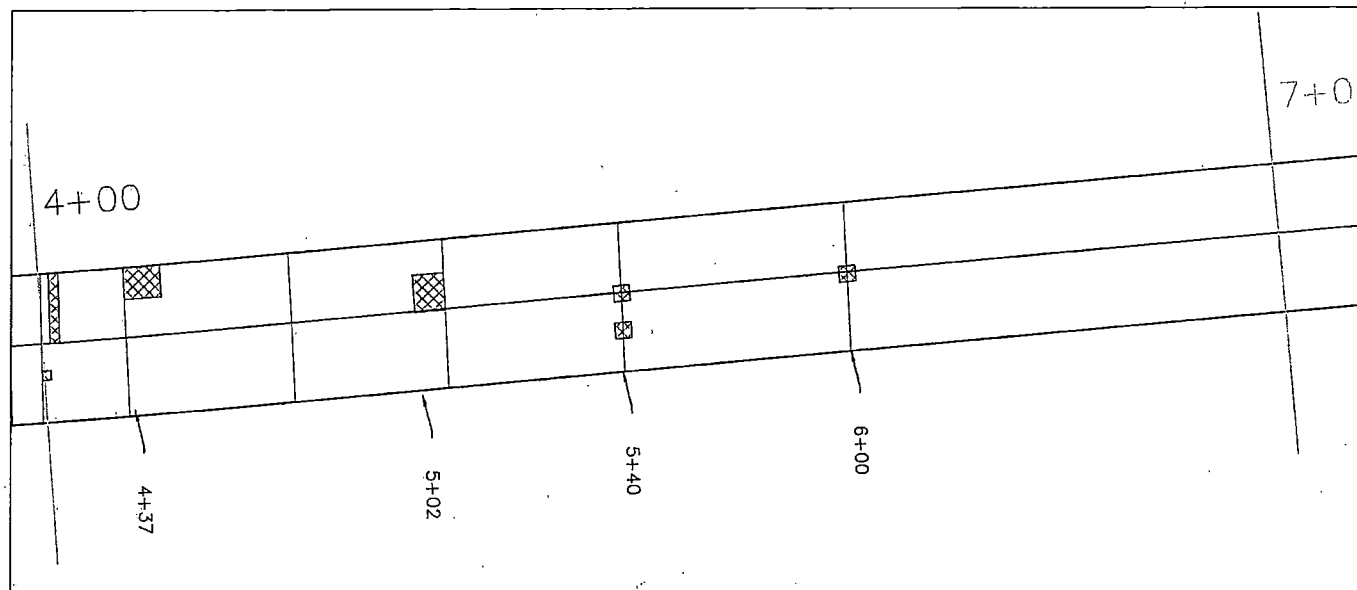
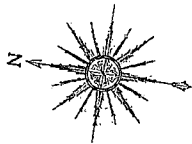


BEAUMONT
Public Works

**CONCRETE
REPAIR
PLAN VIEW
CROW RD**

SHEET 1 OF 10

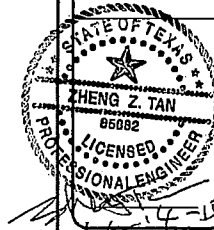
DR: TDLJ	CK: TDLJ	APP: TDLJ
SCALE:	SHEET NO.	27
DATE:	REV:	10/25/15



- * THIS PLAN SHEET IS FOR INFORMATION ONLY
- * ENGINEER SHALL MARK AND VERIFY ALL REPAIR LOCATIONS PRIOR TO REMOVAL

No.	Revision/Issue	Date

CITY OF BEAUMONT, TEXAS
CONCRETE REHABILITATION PROJECT 2015
CITY WIDE

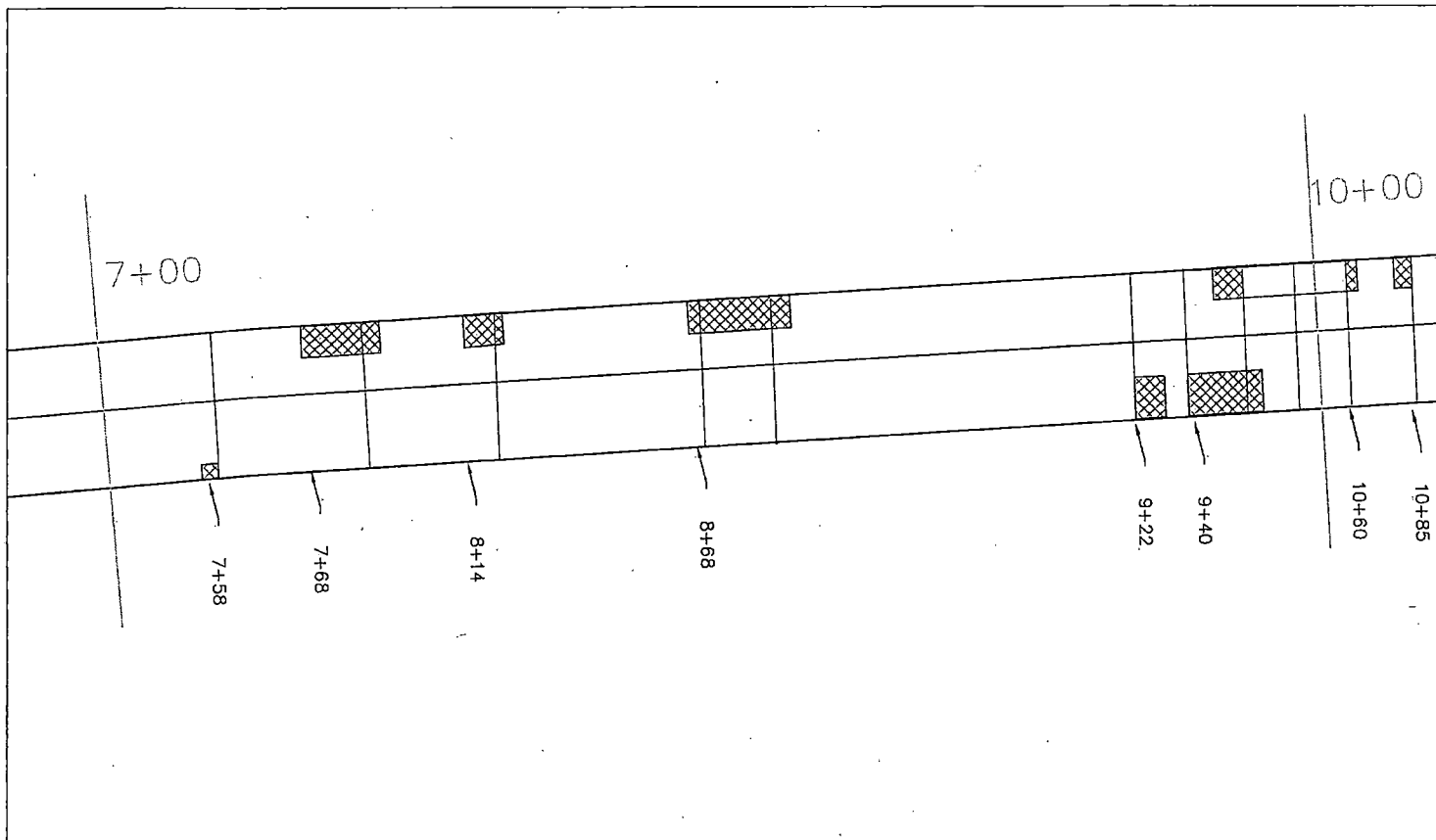


BEAUMONT
Public Works

**CONCRETE
REPAIR
PLAN VIEW
CROW RD**

SHEET 2 OF 10

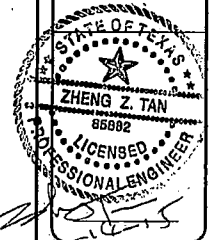
DR: DJJ	CK: DJJ	APP: DJJ
DATE: 10/03/15	REVI:	SHEET NO. 28



- * THIS PLAN SHEET IS FOR INFORMATION ONLY
- * ENGINEER SHALL MARK AND VERIFY ALL REPAIR LOCATIONS PRIOR TO REMOVAL

No.	Revision/Issue	Date

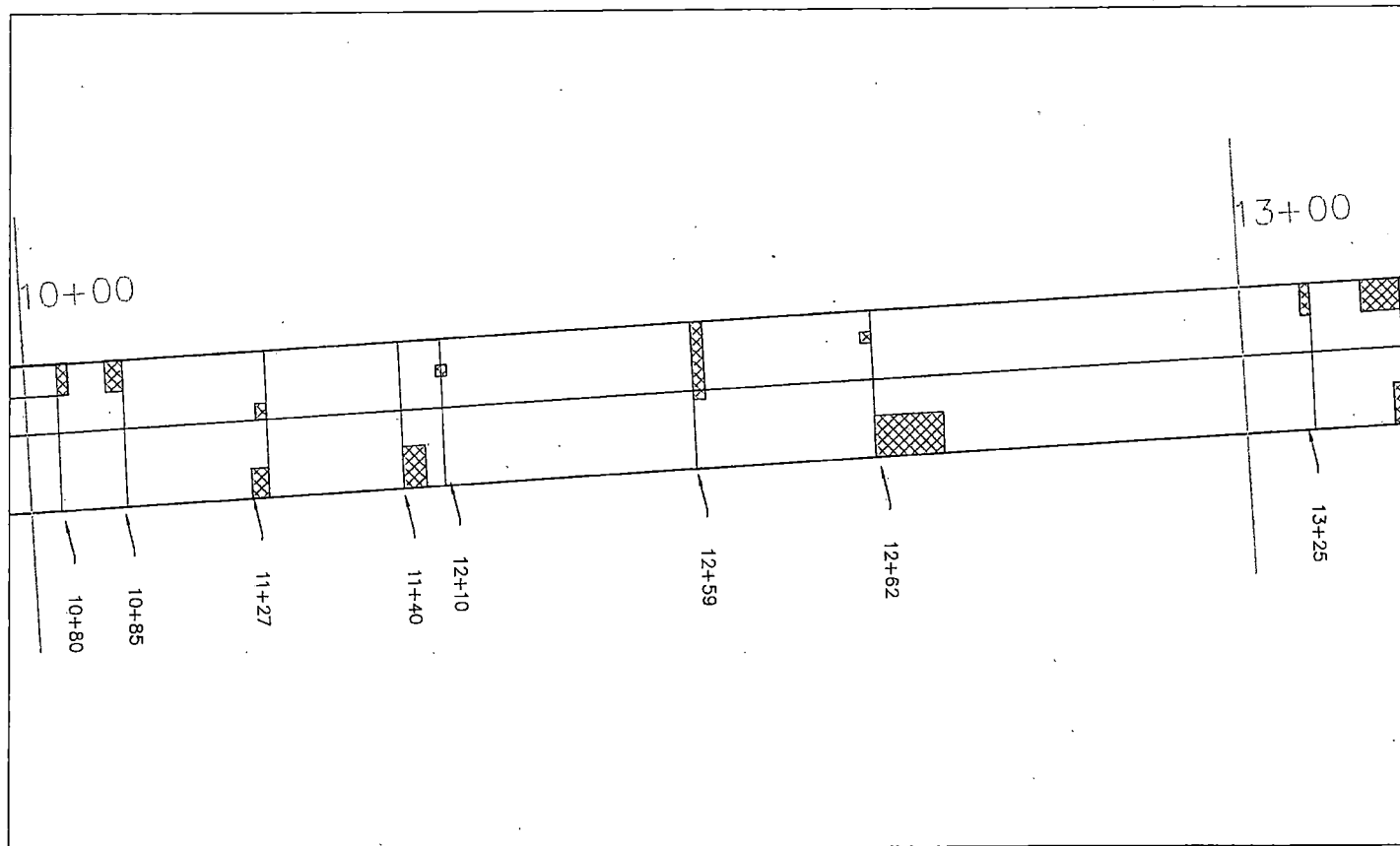
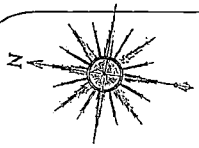
CITY OF BEAUMONT, TEXAS
CONCRETE REHABILITATION PROJECT 2015
CITY WIDE



BEAUMONT
Public Works

**CONCRETE
REPAIR
PLAN VIEW
CROW RD**
SHEET 3 OF 10

DR: DVS/DJ	CK: DVS/DJ	APP: DVS/DJ
SCALE:	SHEET NO. 29	
DATE:	REV:	
4/23/2014		



- * THIS PLAN SHEET IS FOR INFORMATION ONLY
- * ENGINEER SHALL MARK AND VERIFY ALL REPAIR LOCATIONS PRIOR TO REMOVAL

No.	Revision/Issue	Date

CITY OF BEAUMONT, TEXAS
CONCRETE REHABILITATION PROJECT 2015
CITY WIDE

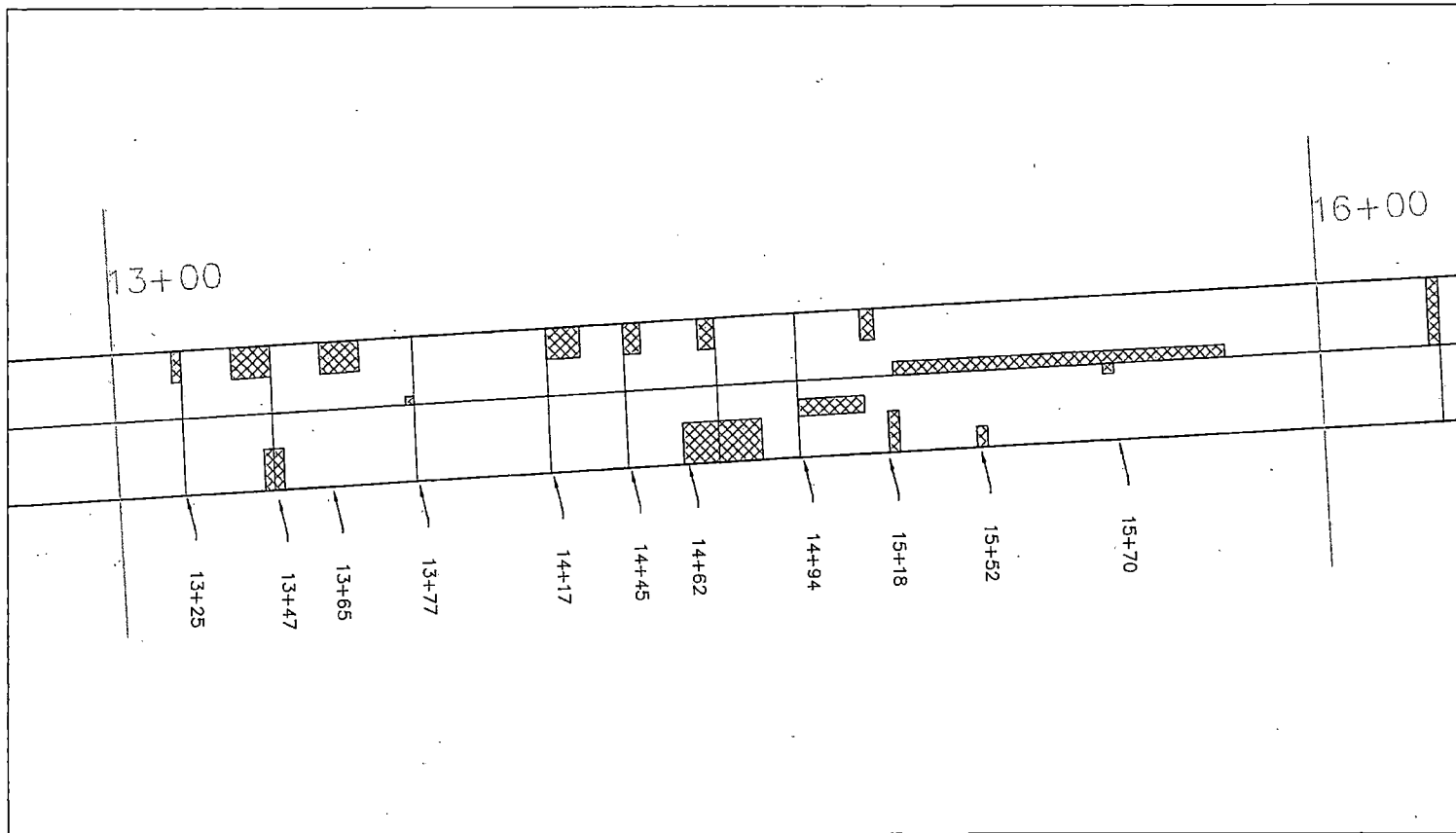
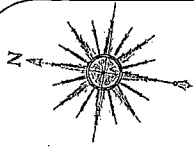
14-15

BEAUMONT
Public Works

**CONCRETE
REPAIR
PLAN VIEW
CROW RD**

SHEET 4 OF 10

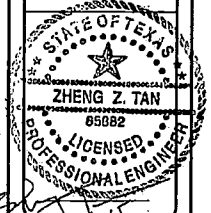
DR: DLS	CK: DLS	APP: DLS
SCALE:	SHEET NO. 30	
NTS	REV:	
DATE: 10/8/2015		



- * THIS PLAN SHEET IS FOR INFORMATION ONLY
- * ENGINEER SHALL MARK AND VERIFY ALL REPAIR LOCATIONS PRIOR TO REMOVAL

No.	Revision/Issue	Date

CITY OF BEAUMONT, TEXAS
CONCRETE REHABILITATION PROJECT 2015
CITY WIDE

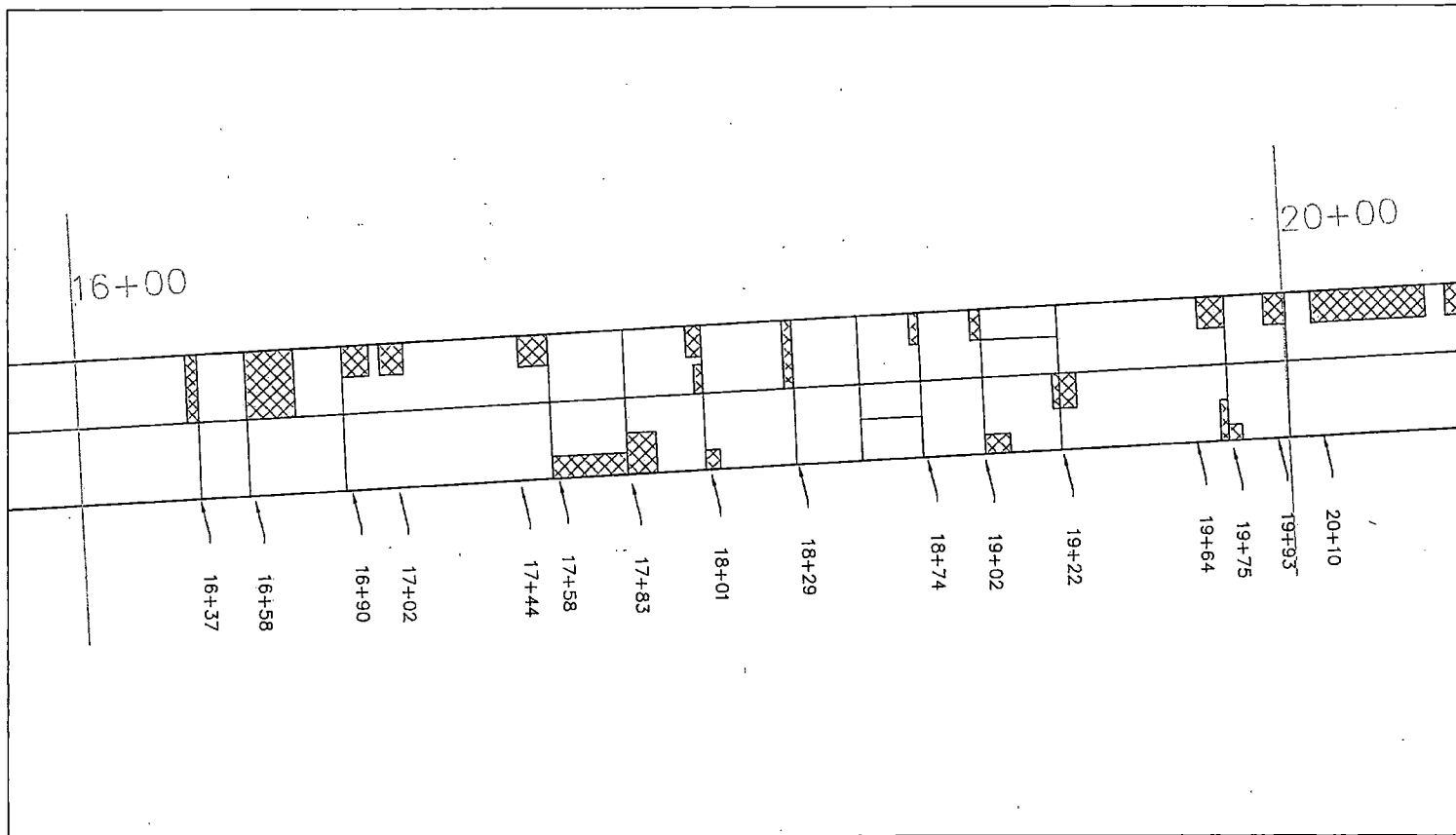
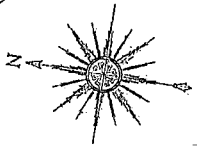


BEAUMONT
Public Works

**CONCRETE
REPAIR
PLAN VIEW
CROW RD**

SHEET 5 OF 10

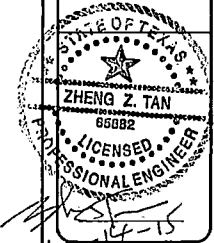
DR: B.H. 02	CK: B.H. 02	APP: B.H. 02
REV:	SHEET NO.	31
DATE:	REV:	
10/2/2015		



- * THIS PLAN SHEET IS FOR INFORMATION ONLY
- * ENGINEER SHALL MARK AND VERIFY ALL REPAIR LOCATIONS PRIOR TO REMOVAL

No.	Revision/Issue	Date

CITY OF BEAUMONT, TEXAS
CONCRETE REHABILITATION PROJECT 2015
CITY WIDE

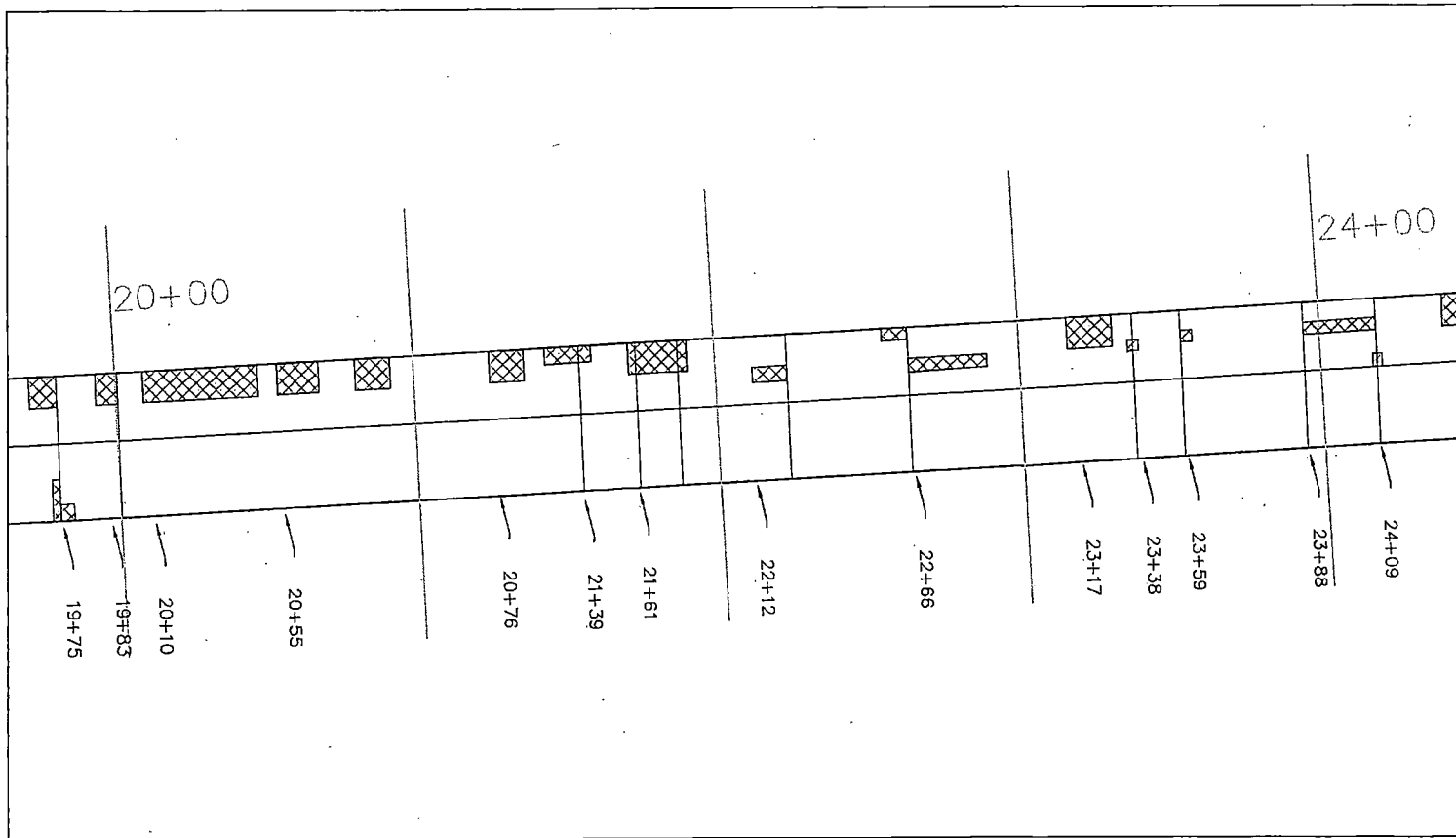
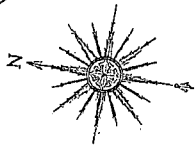


BEAUMONT
Public Works

**CONCRETE
REPAIR
PLAN VIEW
CROW RD**

SHEET 6 OF 10

DR: BUDJ	CK: BUDJ	APP: DR: BUDJ
SCALE:	SHEET NO. 32	
DATE: 10/20/15	REV:	



- * THIS PLAN SHEET IS FOR INFORMATION ONLY
- * ENGINEER SHALL MARK AND VERIFY ALL REPAIR LOCATIONS PRIOR TO REMOVAL

No.	Revision/Issue	Date

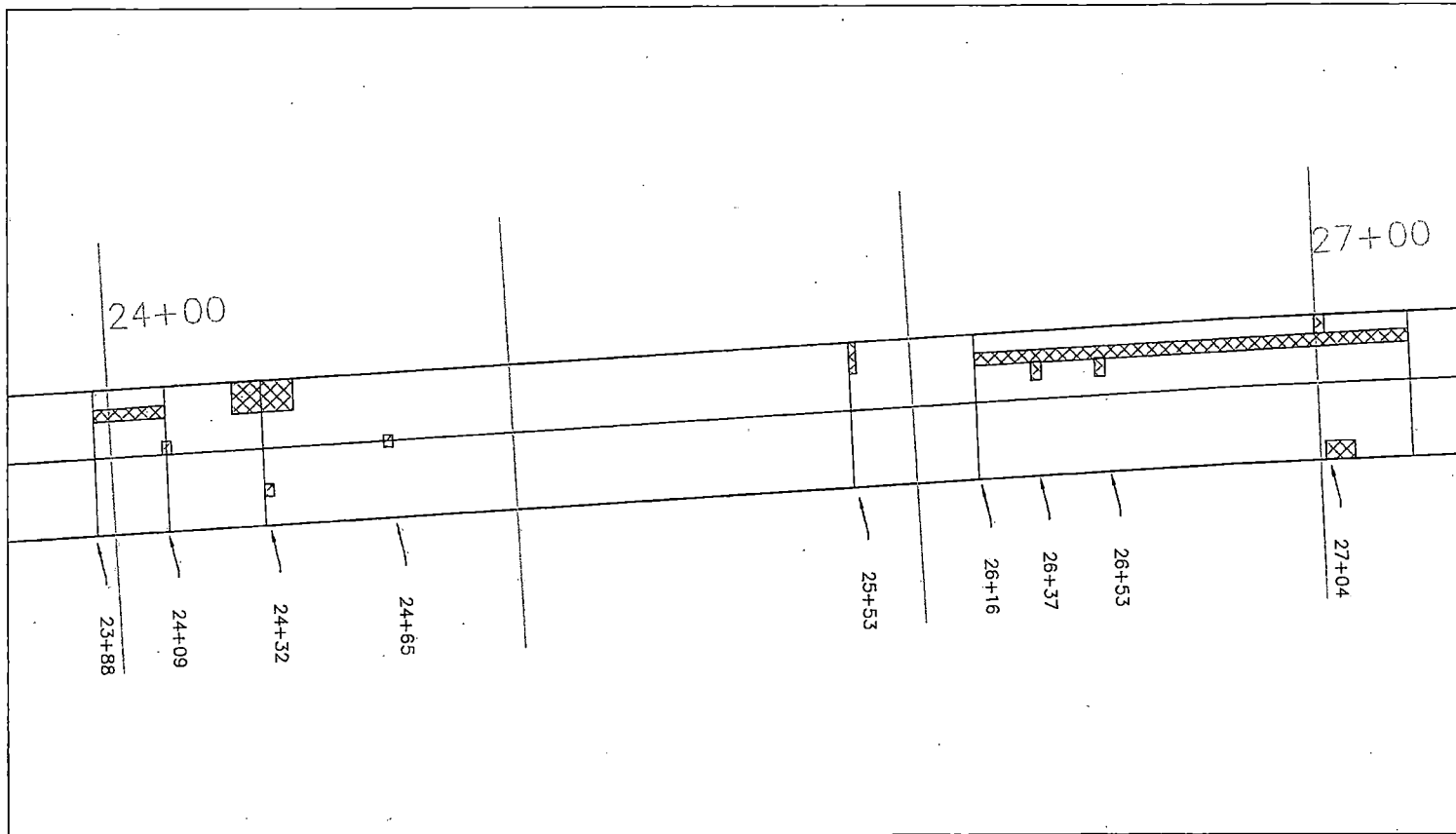
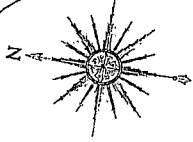
CITY OF BEAUMONT, TEXAS
CONCRETE REHABILITATION PROJECT 2015
CITY WIDE

BEAUMONT
Public Works

**CONCRETE
REPAIR
PLAN VIEW
CROW RD**

SHEET 7 OF 10

DR: DJ	CK: DJ	APP: DJ
USALY:	SHEET NO. 33	
DATE: 10/2/2018	REV:	



* THIS PLAN SHEET IS FOR INFORMATION ONLY
 * ENGINEER SHALL MARK AND VERIFY ALL REPAIR LOCATIONS PRIOR TO REMOVAL

No.	Revision/Issue	Date

CITY OF BEAUMONT, TEXAS
 CONCRETE REHABILITATION PROJECT 2015
 CITY WIDE

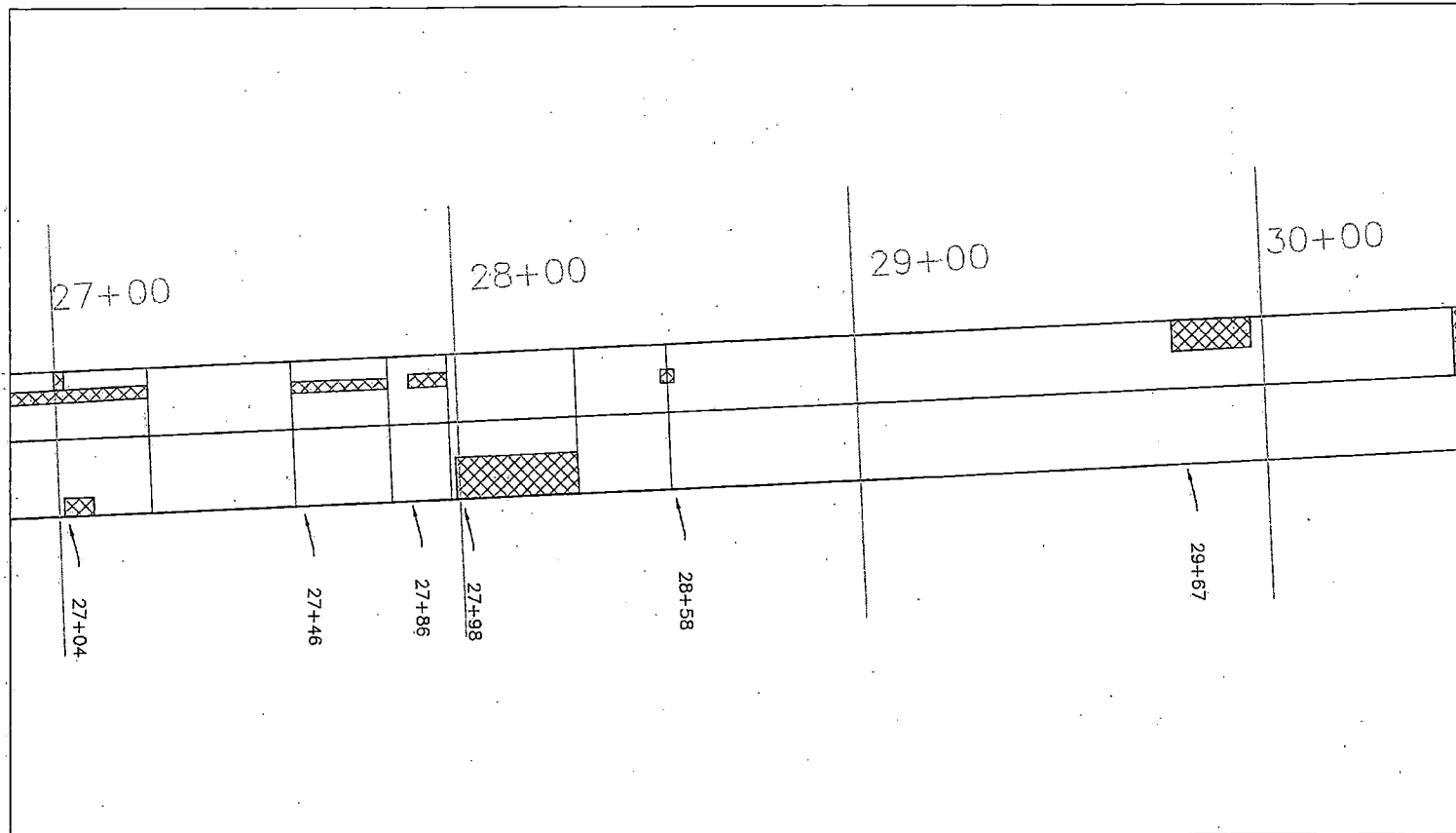
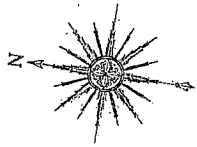
SEAL OF THE STATE OF TEXAS
 ZHENG Z. TAN
 05982
 LICENSED PROFESSIONAL ENGINEER

4-14-15

BEAUMONT
 Public Works

CONCRETE REPAIR
 PLAN VIEW
 CROW RD
 SHEET 8 OF 10

DR: WJL	CK: WJL	APP: WJL
DATE: 10/02/13	SHEET NO. 34	REVI:



* THIS PLAN SHEET IS FOR INFORMATION ONLY
 * ENGINEER SHALL MARK AND VERIFY ALL REPAIR LOCATIONS PRIOR TO REMOVAL

No.	Revision/Issue	Date

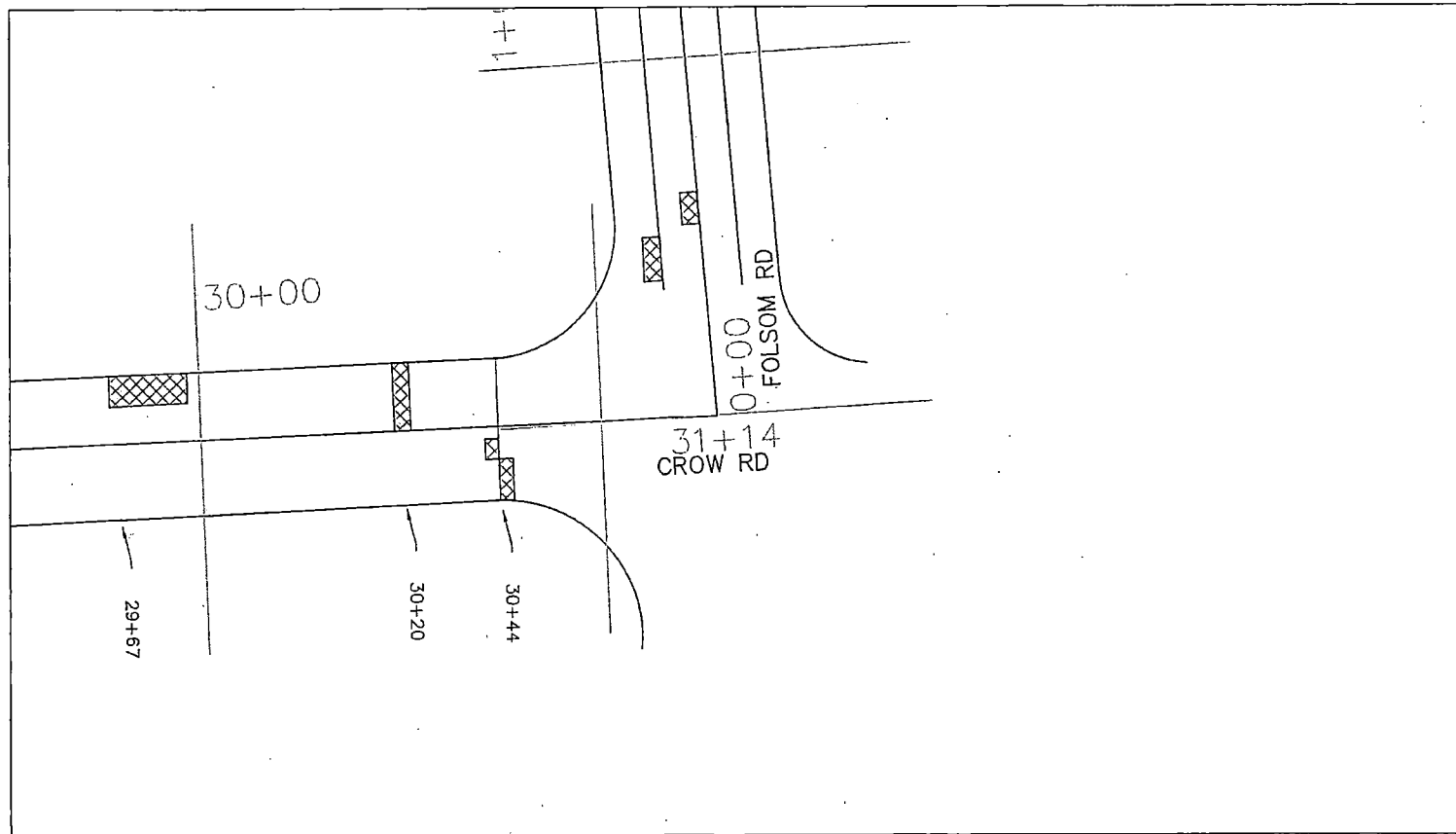
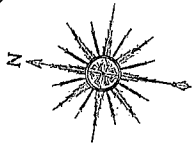
CITY OF BEAUMONT, TEXAS
 CONCRETE REHABILITATION PROJECT 2015
 CITY WIDE



**CONCRETE
 REPAIR
 PLAN VIEW
 CROW RD**

SHEET 9 OF 10

DR: DLS	CK: DLS	APP: DLS
SCALE:	SHEET NO.	35
DATE:	REV:	
10/2/2015		



* THIS PLAN SHEET IS FOR INFORMATION ONLY
 * ENGINEER SHALL MARK AND VERIFY ALL REPAIR LOCATIONS PRIOR TO REMOVAL

No.	Revision/Issue	Date

CITY OF BEAUMONT, TEXAS
 CONCRETE REHABILITATION PROJECT 2016
 CITY WIDE

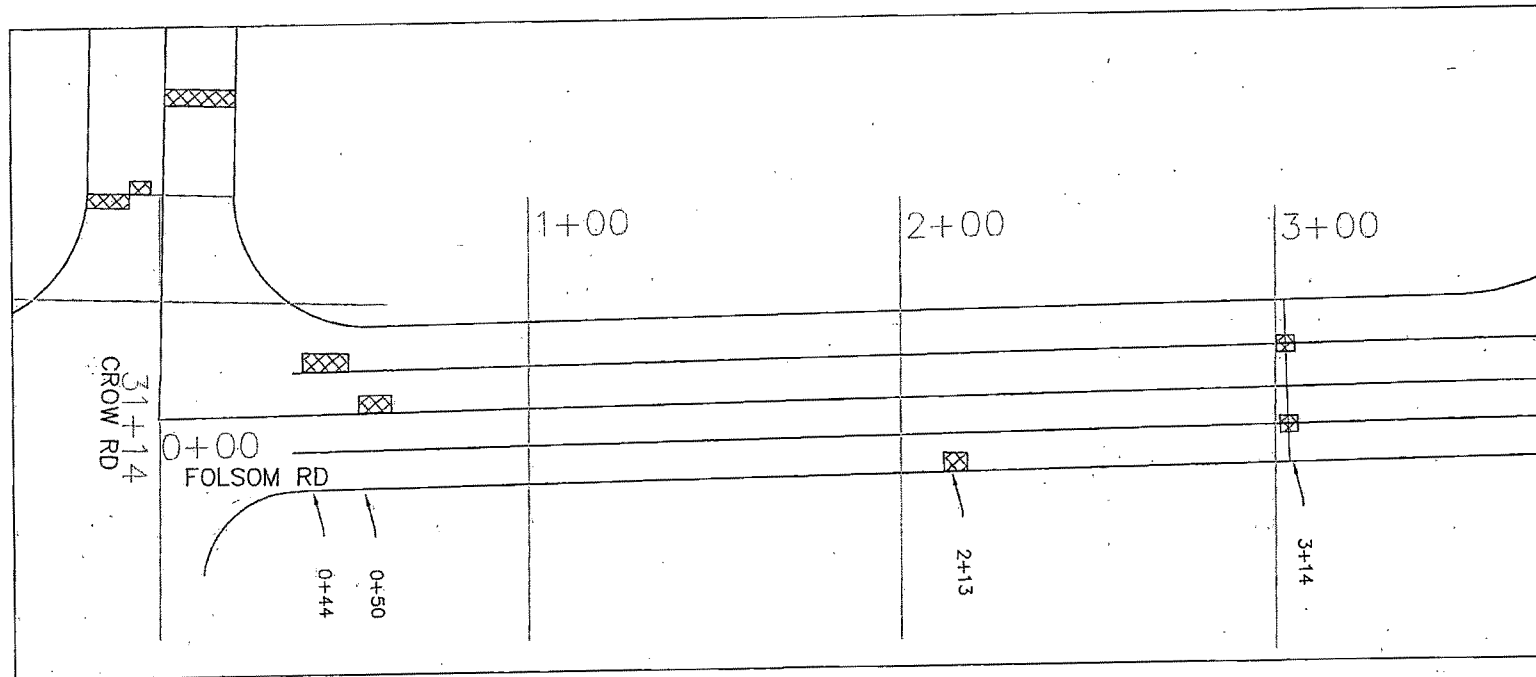
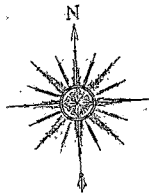
14-15

BEAUMONT
 Public Works

**CONCRETE
 REPAIR
 PLAN VIEW
 CROW RD**

SHEET 18 OF 19

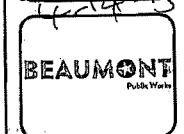
DR: DLS	CK: DLS	APP: DLS
SCALE: N.T.S.	SHEET NO. 38	
DATE: 10/2/2016	REV:	



* THIS PLAN SHEET IS FOR INFORMATION ONLY
 * ENGINEER SHALL MARK AND VERIFY ALL REPAIR LOCATIONS PRIOR TO REMOVAL

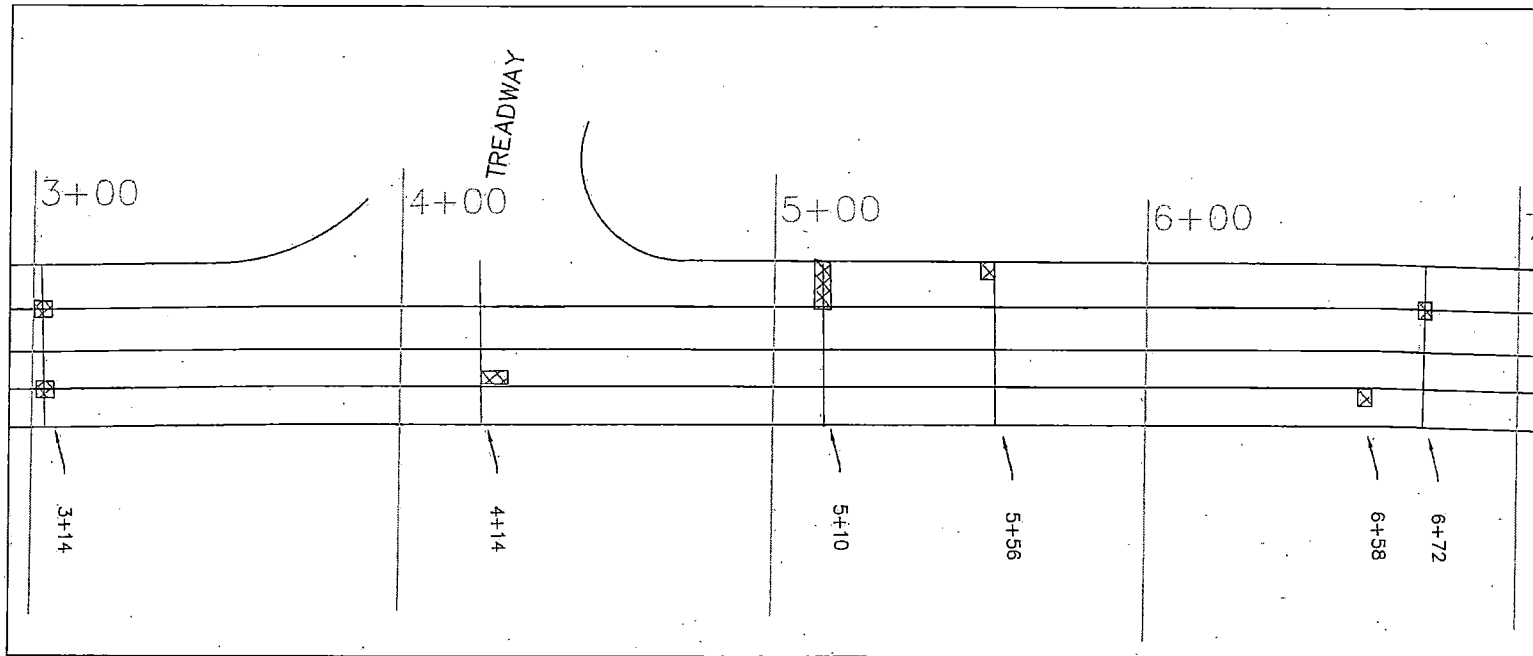
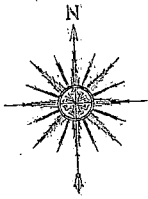
No.	Revision/Issue	Date

CITY OF BEAUMONT, TEXAS
 CONCRETE REHABILITATION PROJECT 2015
 CITY WIDE



**CONCRETE
 REPAIR**
PLAN VIEW
FOLSOM RD.
 SHEET 1 OF 2

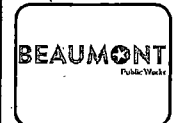
DR: WJL	CK: WJL	APP: WJL
SCALE:	SHEET NO. 37	
DATE: 10/20/15	REV:	



* THIS PLAN SHEET IS FOR INFORMATION ONLY
 * ENGINEER SHALL MARK AND VERIFY ALL REPAIR LOCATIONS PRIOR TO REMOVAL

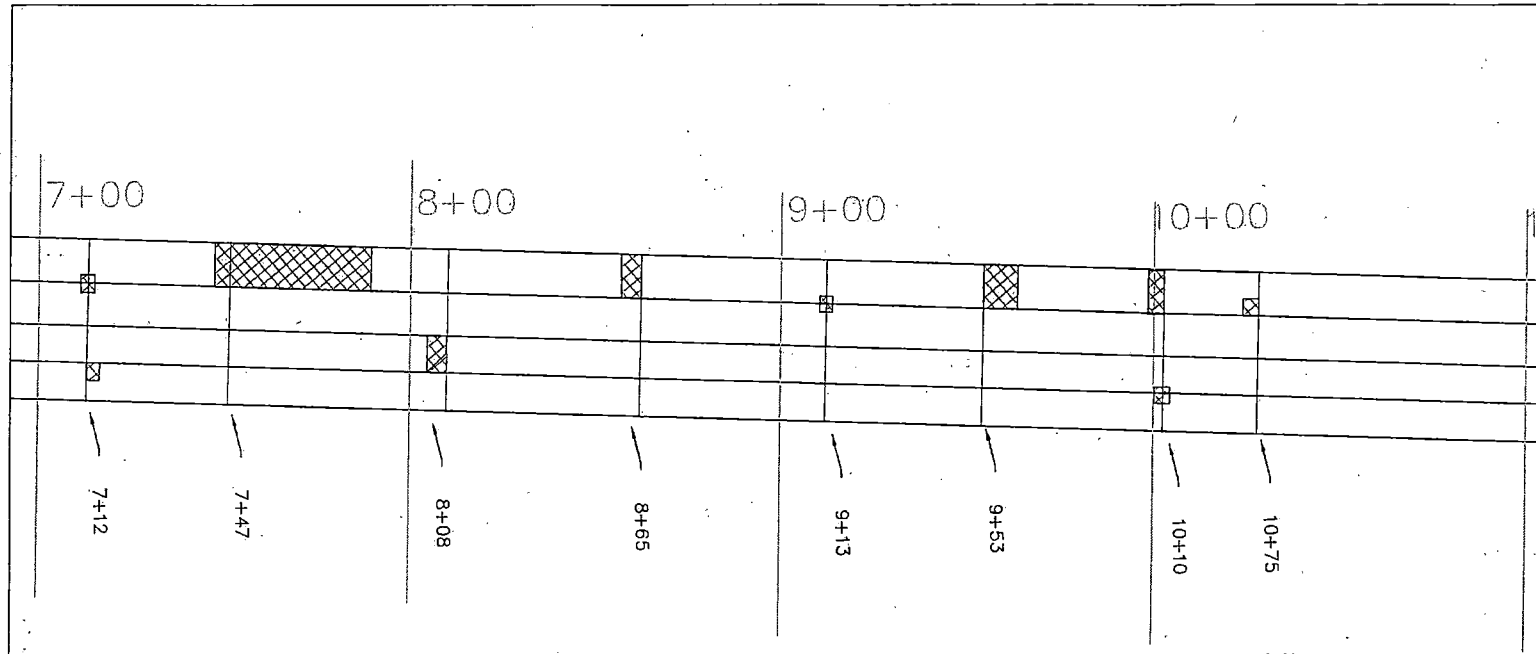
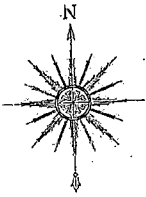
No.	Revision/Issue	Date

CITY OF BEAUMONT, TEXAS
 CONCRETE REHABILITATION PROJECT 2015
 CITY WIDE



**CONCRETE
 REPAIR**
 PLAN VIEW
 FOLSOM RD.
 SHEET 2 OF 8

DR: 01/01/15	CK: 01/01/15	APP: 01/01/15
SCALE:	SHEET NO. 38	
DATE: 10/22/15	REV:	



* THIS PLAN SHEET IS FOR INFORMATION ONLY
 * ENGINEER SHALL MARK AND VERIFY ALL REPAIR LOCATIONS PRIOR TO REMOVAL

No.	Revision/Issue	Date

CITY OF BEAUMONT, TEXAS
CONCRETE REHABILITATION PROJECT 2015
CITY WIDE

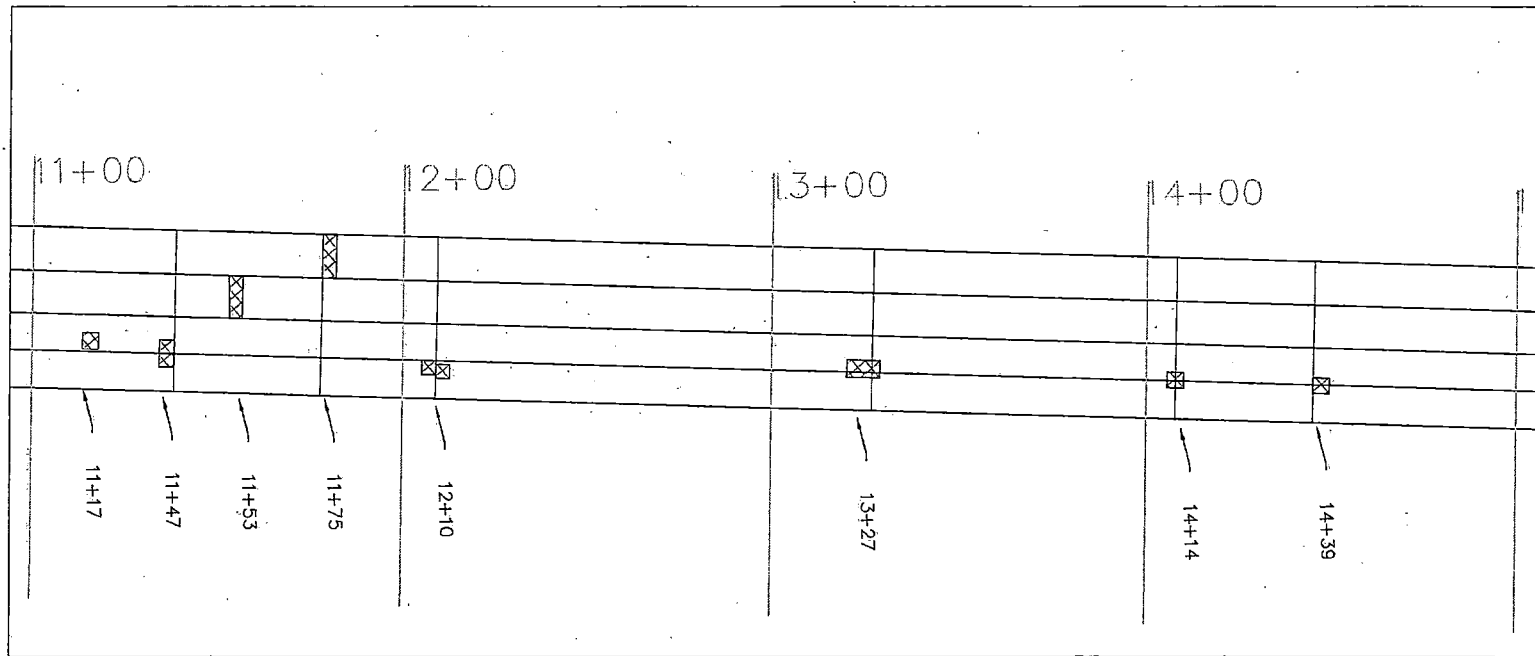
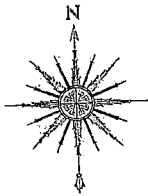


Zheng Z. Tan



CONCRETE REPAIR
PLAN VIEW
FOLSOM RD.
 SHEET 3 OF 8

DR: DJJ	CK: DJJ	APP: DJJ
SCALE:	SHEET NO. 39	
DATE: 08/20/15	REV:	



* THIS PLAN SHEET IS FOR INFORMATION ONLY
 * ENGINEER SHALL MARK AND VERIFY ALL REPAIR LOCATIONS PRIOR TO REMOVAL

No.	Revision/Issue	Date

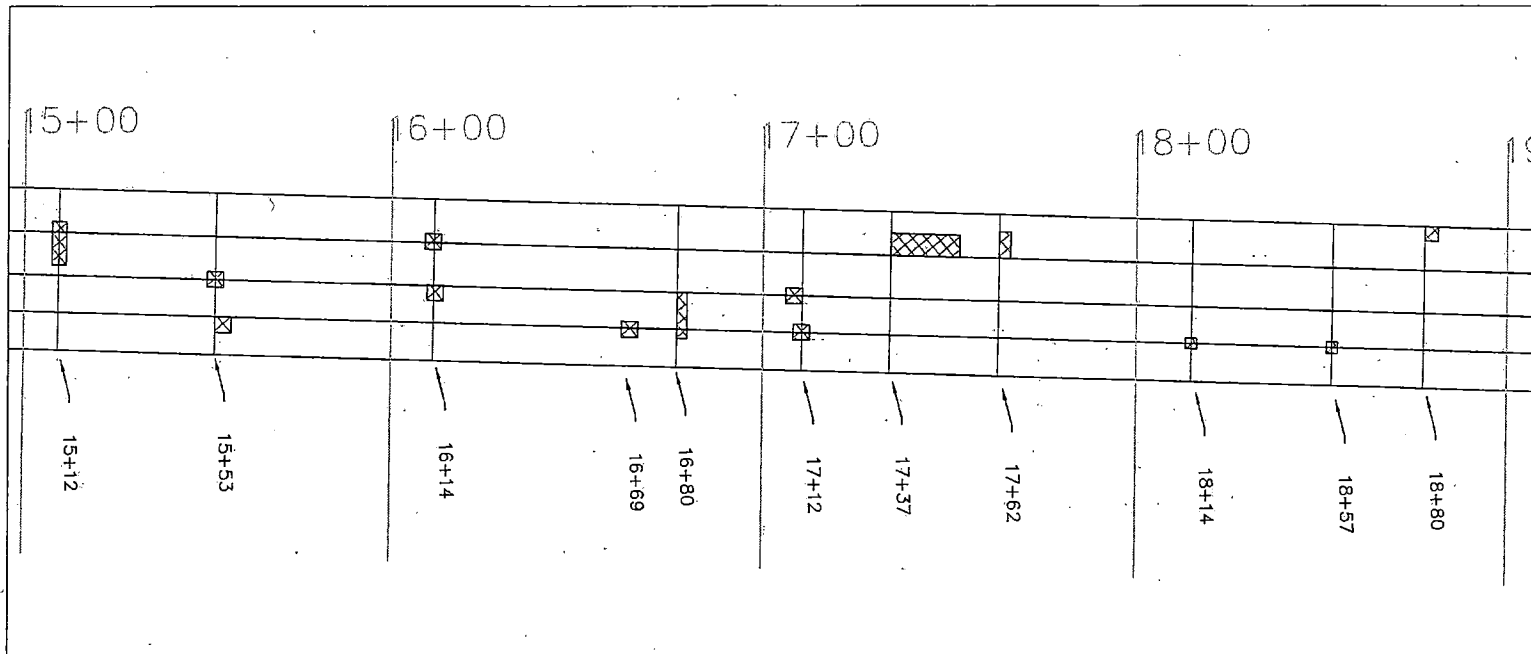
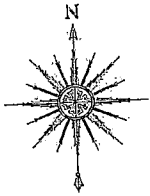
CITY OF BEAUMONT, TEXAS
 CONCRETE REHABILITATION PROJECT 2015
 CITY WIDE

STATE OF TEXAS
 ZHENG Z. TAN
 66882
 LICENSED
 PROFESSIONAL ENGINEER

BEAUMONT
 Public Works

CONCRETE
 REPAIR
 PLAN VIEW
 FOLSOM RD.
 SHEET 4 OF 6

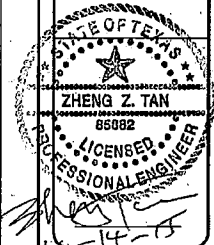
DR: MJD	CK: DTD	APP: DTD
SCALE:	SHEET NO. 40	
DATE: 10/22/15	REV:	



* THIS PLAN SHEET IS FOR INFORMATION ONLY
 * ENGINEER SHALL MARK AND VERIFY ALL REPAIR LOCATIONS PRIOR TO REMOVAL

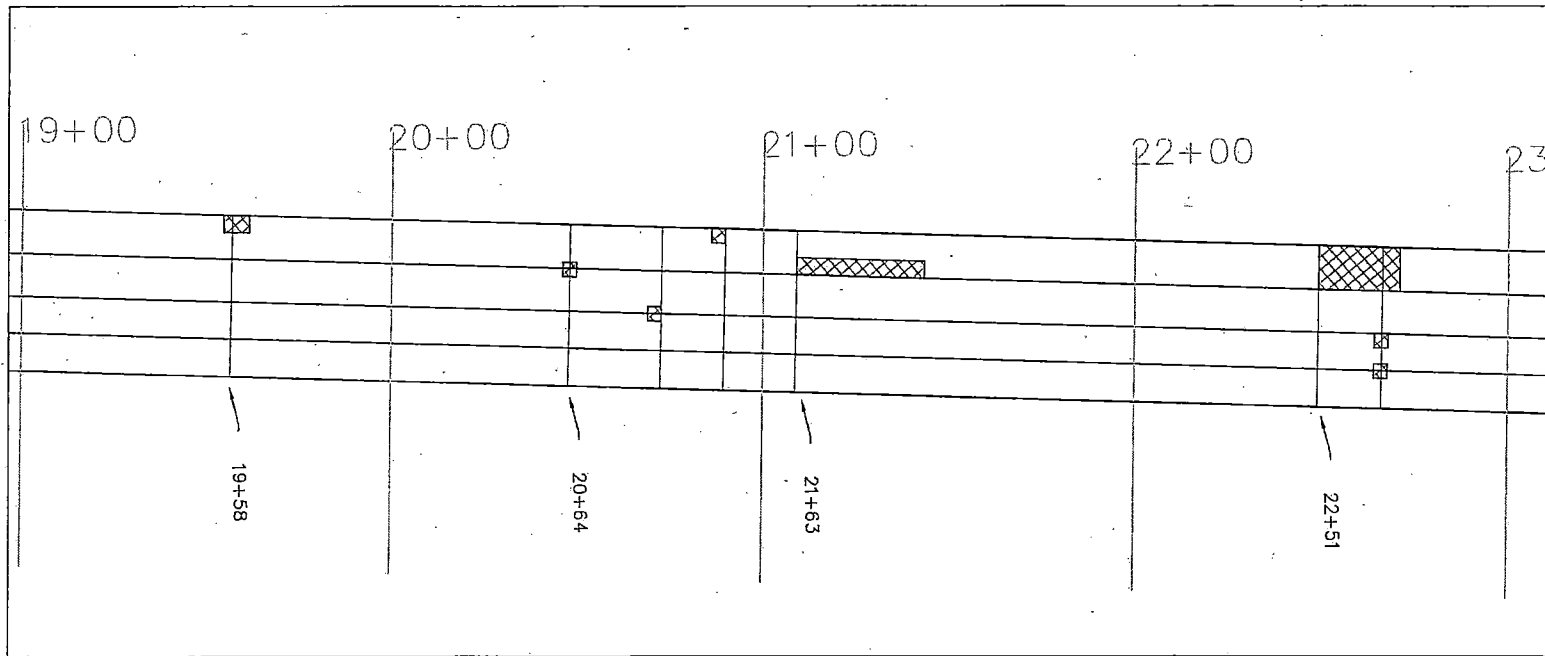
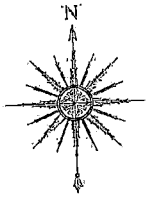
No.	Revision/Issue	Date

CITY OF BEAUMONT, TEXAS
 CONCRETE REHABILITATION PROJECT 2015
 CITY WIDE



**CONCRETE
 REPAIR
 PLAN VIEW**
FOLSOM RD.
 SHEET 5 OF 9

DR BY: DJ	CK BY: DJ	APP BY: DJ
SCALE:	SHEET NO. 41	
R.T.B.	DATE: 10/20/11	REV:



- * THIS PLAN SHEET IS FOR INFORMATION ONLY
- * ENGINEER SHALL MARK AND VERIFY ALL REPAIR LOCATIONS PRIOR TO REMOVAL

No.	Revision/Issue	Date

CITY OF BEAUMONT, TEXAS
CONCRETE REHABILITATION PROJECT 2015
CITY WIDE

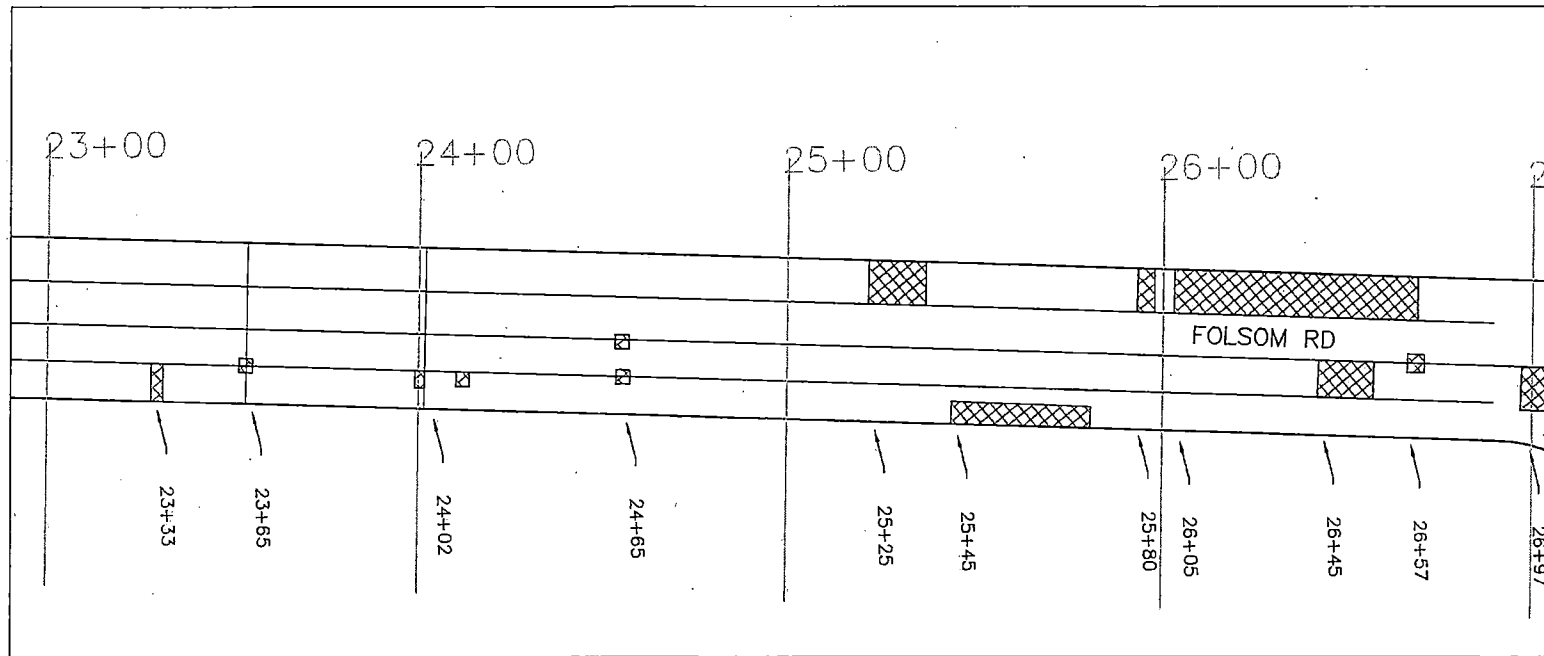
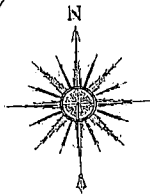


BEAUMONT
Public Works

**CONCRETE
REPAIR
PLAN VIEW
FOLSOM RD.**
SHEET 6 OF 6

DR. DES. BY	CK. DES. BY	APP. DES. BY
Y.S.A.		
DATE: 10/2/15		

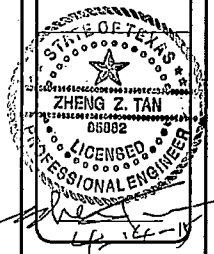
SHEET NO.	REV.
42	



- * THIS PLAN SHEET IS FOR INFORMATION ONLY
- * ENGINEER SHALL MARK AND VERIFY ALL REPAIR LOCATIONS PRIOR TO REMOVAL

No.	Revision/Issue	Date

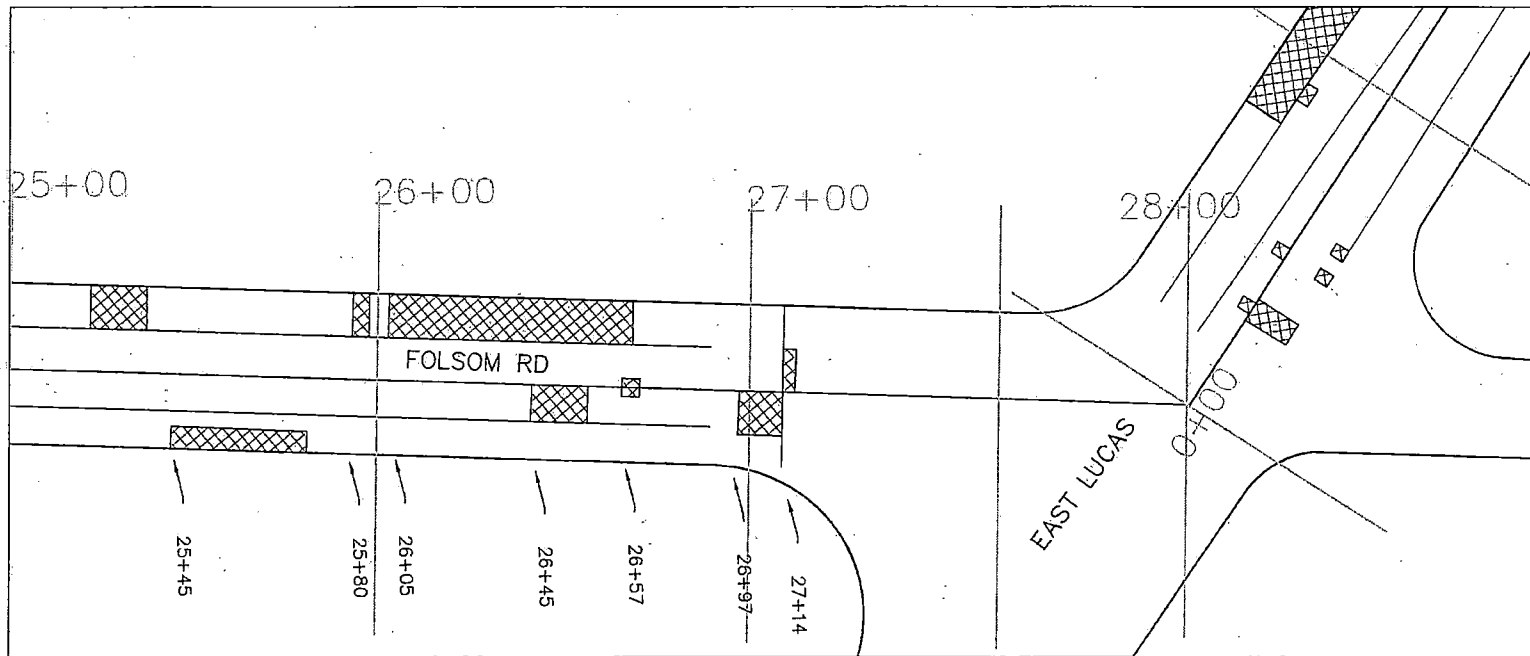
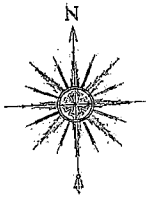
CITY OF BEAUMONT, TEXAS
CONCRETE REHABILITATION PROJECT 2015
CITY WIDE



BEAUMONT
Public Works

**CONCRETE
REPAIR
PLAN VIEW
FOLSOM RD.**
SHEET 7 OF 8

DATE: 1/10/2018	BY: [Signature]	APP. BY: [Signature]
SCALE: N.T.S.	SHEET NO. 43	REV: 1



- * THIS PLAN SHEET IS FOR INFORMATION ONLY
- * ENGINEER SHALL MARK AND VERIFY ALL REPAIR LOCATIONS PRIOR TO REMOVAL

No.	Revision/Issue	Date

CITY OF BEAUMONT, TEXAS

CONCRETE REHABILITATION PROJECT 2015

CITY WIDE

BEAUMONT

Public Works

CONCRETE

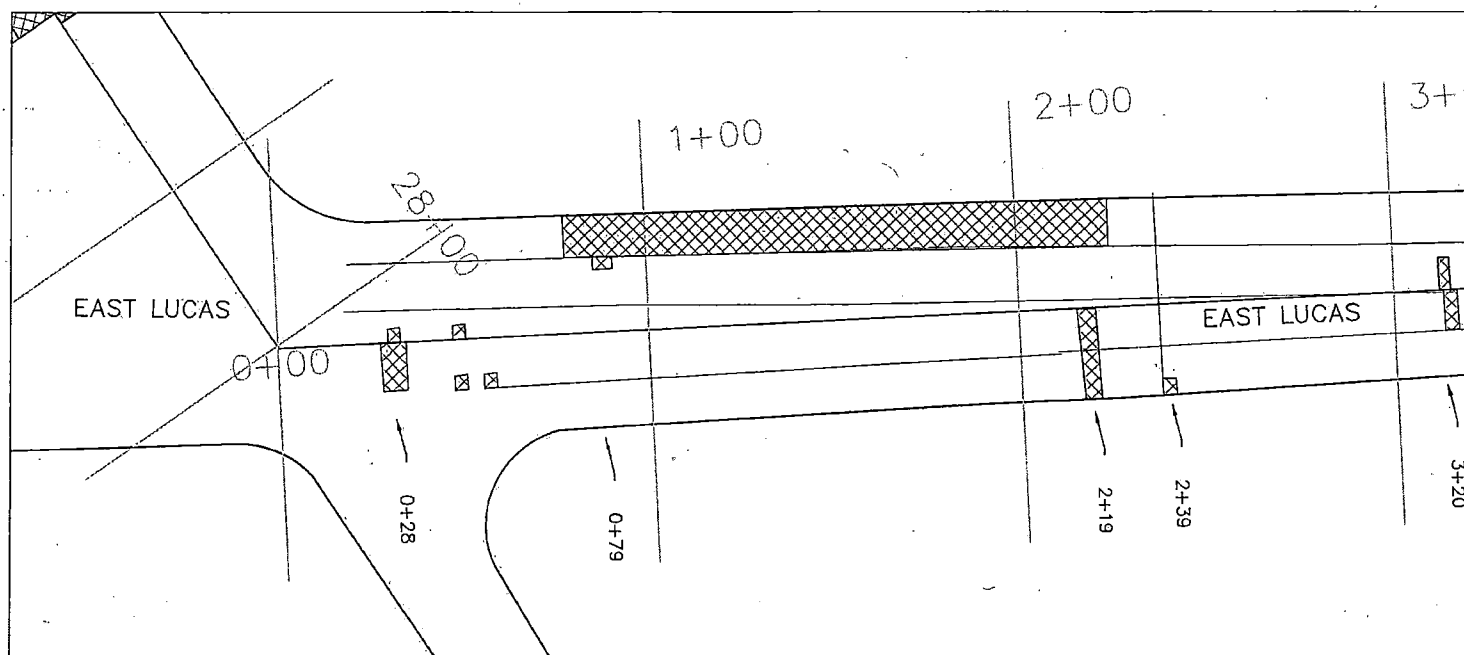
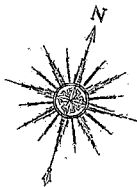
REPAIR

PLAN VIEW

FOLSOM RD.

SHEET 8 OF 8

DR: B. H. J.	CE: B. H. J.	APP: B. H. J.
SCALE	SHEET NO. 44	
DATE	REVI	
10/2/2015		



- * THIS PLAN SHEET IS FOR INFORMATION ONLY
- * ENGINEER SHALL MARK AND VERIFY ALL REPAIR LOCATIONS PRIOR TO REMOVAL

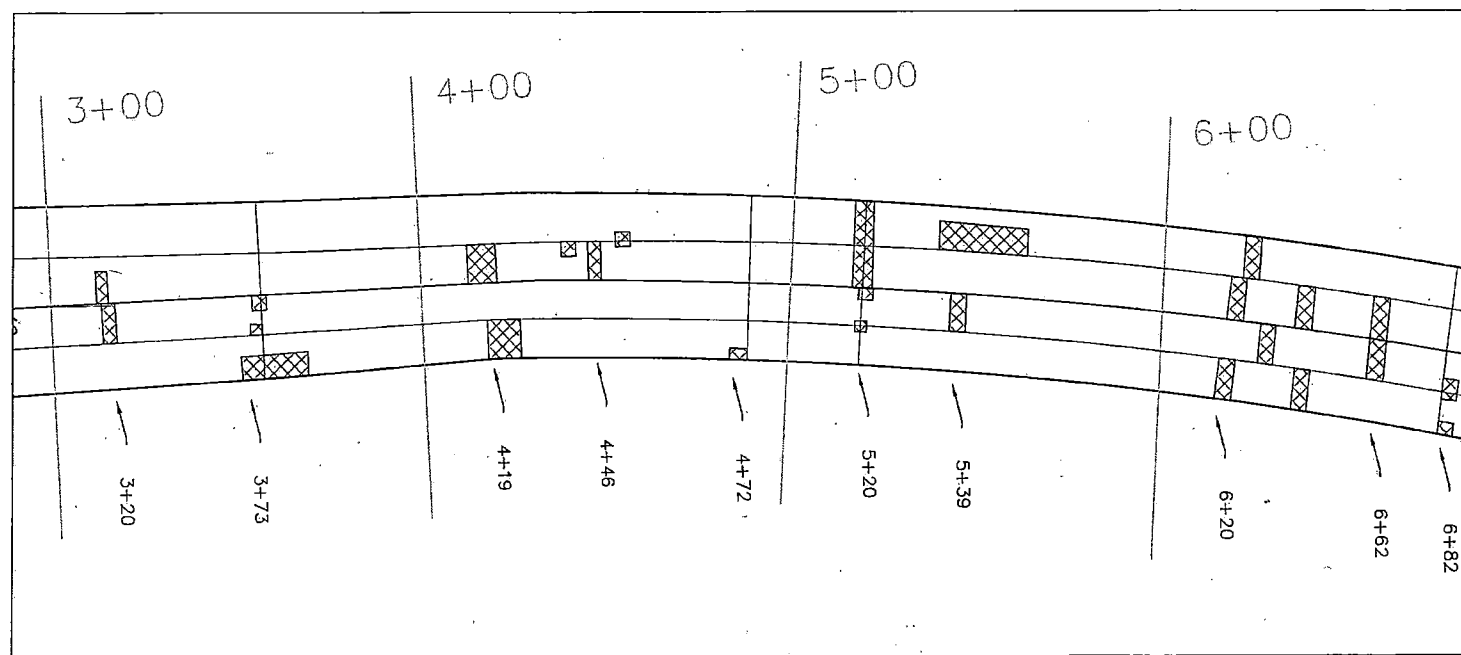
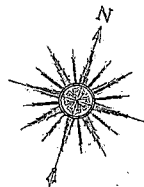
No.	Revision/Issue	Date

CITY OF BEAUMONT, TEXAS
CONCRETE REHABILITATION PROJECT 2015
CITY WIDE



**CONCRETE
REPAIR
PLAN VIEW
EAST LUCAS**
SHEET 1 OF 3

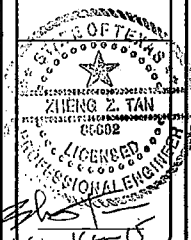
DR. DR. DR.	CK. DR. DR.	APP. DR. DR.
SCALE	SHEET NO. 45	
DATE: 10/20/15	REV: 1	



* THIS PLAN SHEET IS FOR INFORMATION ONLY
 * ENGINEER SHALL MARK AND VERIFY ALL REPAIR LOCATIONS PRIOR TO REMOVAL

No.	Revision/Issue	Date

CITY OF BEAUMONT, TEXAS
 CONCRETE REHABILITATION PROJECT 2015
 CITY WIDE

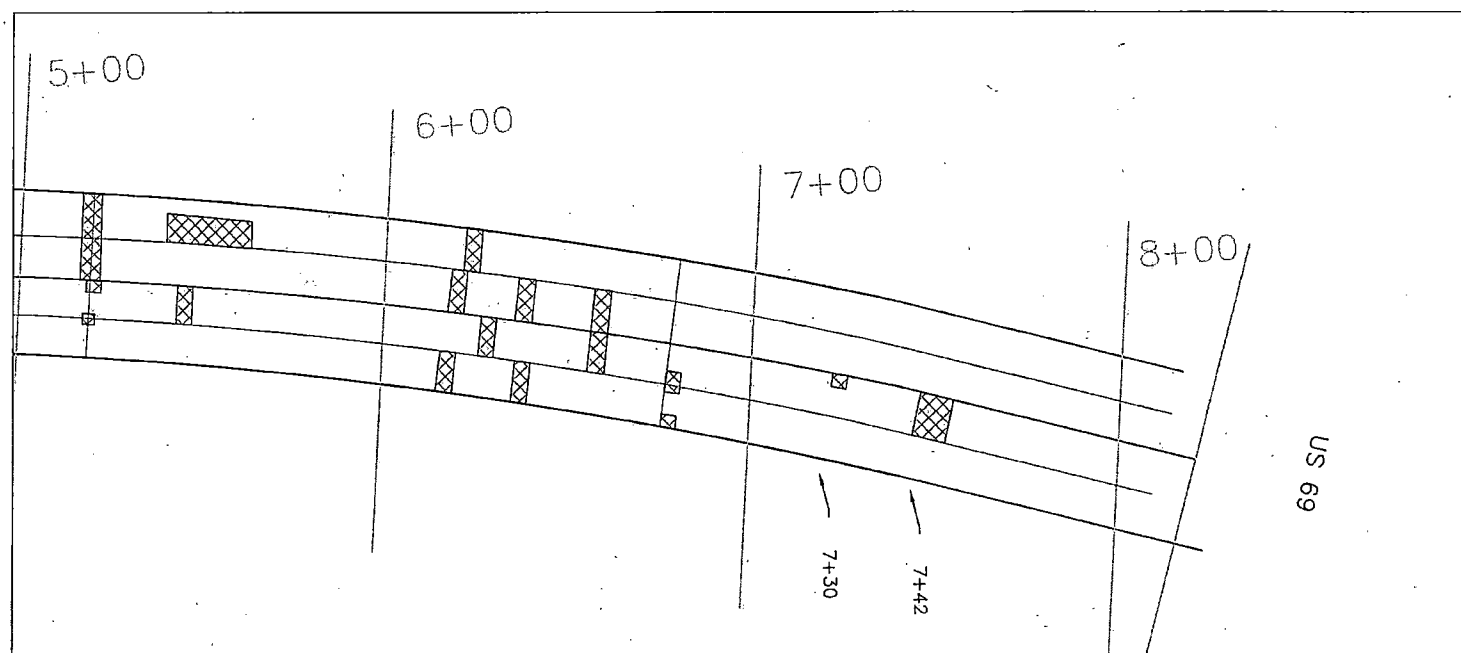
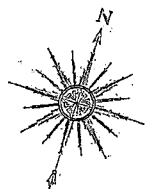


BEAUMONT
 Public Works

**CONCRETE
 REPAIR
 PLAN VIEW
 EAST LUCAS**

SHEET 2 OF 3

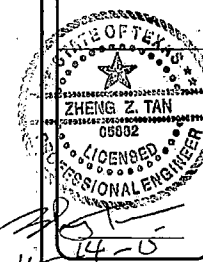
DR. DATE	CK. DATE	APP. DATE
REALT		SHEET NO.
DATE		REV
1/28/2015		46



- * THIS PLAN SHEET IS FOR INFORMATION ONLY
- * ENGINEER SHALL MARK AND VERIFY ALL REPAIR LOCATIONS PRIOR TO REMOVAL

No.	Revision/Issue	Date

CITY OF BEAUMONT, TEXAS
CONCRETE REHABILITATION PROJECT 2015
CITY WIDE



BEAUMONT
Public Works

**CONCRETE
REPAIR
PLAN VIEW
EAST LUCAS**
SHEET 3 OF 3

DR BY: DJ	CK BY: DJ	APP BY: JON
SCALE:	SHEET NO. 47	
N.Y.S.		
DATE: 10/2/2015	REV:	

RESOLUTION NO.

BE IT RESOLVED BY THE CITY COUNCIL OF THE

CITY OF BEAUMONT:

THAT the City Council hereby approves the award of a contract to SR Tilley Builders, Inc., of Vidor, Texas, in the amount of \$3,450,445 for the Concrete Rehabilitation of Various Locations Project to include saw cutting, removing existing cracked and broken concrete pavements, repair and compact existing base course, and placement of new reinforced concrete pavement on various concrete pavement locations throughout the City of Beaumont.

PASSED BY THE CITY COUNCIL of the City of Beaumont this the 30th day of June, 2015.

- Mayor Becky Ames -

June 30, 2015

Consider a resolution approving the purchase of a court management software system from Tyler Technologies for use by Municipal Court

BEAUMONT

TEXAS

TO: City Council

FROM: Kyle Hayes, City Manager

PREPARED BY: Bart Bartkowiak, Chief Technology Officer *BB*

MEETING DATE: June 30, 2015

REQUESTED ACTION: Council consider a resolution approving the purchase of a court management software system from Tyler Technologies, in the amount of \$313,426 for use by Municipal Court.

BACKGROUND

Pricing was obtained through the National Joint Powers Alliance (NJPA). NJPA provides cities and political subdivisions with the means to make purchases at volume prices contracted under procurement statutes.

Municipal Court currently uses the Sungard HTE case management software to process all court transactions including citations, arraignments, warrants, jury management, and payments. This software no longer accommodates the needs of the court, therefore it must be replaced. Currently cases are processed manually with all case documents being printed. Tyler Technologies' Encode software will allow for cases to be processed electronically which will result in a significant savings of time as well as a reduced paper supply cost.

Tyler Technologies' Encode software, as well as multiple other vendors, have been reviewed. The Encode software has been found to provide all of the necessary components to meet the Court's needs.

One (1) year of software maintenance and support is included in the purchase.

FUNDING SOURCE

Municipal Court – Technology Fund.

RECOMMENDATION

Approval of resolution.

RESOLUTION NO.

BE IT RESOLVED BY THE CITY COUNCIL

OF THE CITY OF BEAUMONT:

THAT the City Council hereby approves the purchase of Encode court management software system for use by Municipal Court from Tyler Technologies, of Plano, Texas, in the amount of \$313,426 through the National Joint Powers Alliance (NJPA) Cooperative Purchasing Program.

PASSED BY THE CITY COUNCIL of the City of Beaumont this the 30th day of June, 2015.

- Mayor Becky Ames -

June 30, 2015

Consider a resolution authorizing the City Manager to execute Change Order No. 2, accept maintenance, and authorize a final payment to Reytec Construction Resources, Inc. for the Paving and Drainage Improvements on Magnolia Project

BEAUMONT

TEXAS

TO: City Council

FROM: Kyle Hayes, City Manager

PREPARED BY: Dr. Joseph Majdalani, P.E., Public Works Director

MEETING DATE: June 30, 2015

REQUESTED ACTION: Council consider a resolution authorizing the City Manager to execute Change Order No. 2, accept maintenance, and authorize a final payment to Reytec Construction Resources, Inc. for the Paving and Drainage Improvements on Magnolia Project.

BACKGROUND

On November 19, 2013, by Resolution No. 13-262, City Council awarded Reytec Construction Resources, Inc. of Houston, Texas the contract for the Paving and Drainage Improvements on Magnolia Project in the amount of \$4,820,038.45.

Change Order No. 1 increased the contract time from 365 days to 455 days. Change Order No. 2 is required to adjust the estimated quantities in the contract to reflect the actual quantities used in the completion of the project. The adjustment in quantities results in an overall increase of \$280,919.50 (5.83%) and a final contract value of \$5,100,957.95. The project has been inspected by the Engineering Division and found to be complete in accordance with the provisions and terms set forth in the contract. Acceptance of maintenance and approval of Change Order No. 2 and final payment in the amount of \$276,236.95 is recommended.

The MBE participation in the performance of the contract is \$182,303.72. The MBE participation represents 3.57% of the final contract value.

FUNDING SOURCE

Community Development Block Grant Round 2.2 Non-Housing Grant with the balance of funds from Capital Program.

RECOMMENDATION

Approval of resolution.

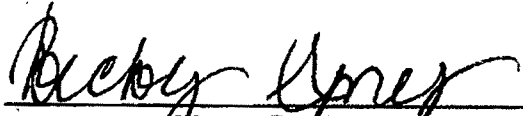
RESOLUTION NO.13-262

BE IT RESOLVED BY THE CITY COUNCIL OF THE
CITY OF BEAUMONT:

THAT the City Council hereby approves the award of a contract to Reytec Construction Resources, Inc., of Houston, Texas, in the amount of \$4,820,038.45 for the Magnolia Avenue Paving and Drainage, Water and Sanitary Sewer Improvement Project.

PASSED BY THE CITY COUNCIL of the City of Beaumont this the 19th day of November, 2013.





Mayor Becky Ames -

DATE: March 17, 2015
PROJECT: PAVING & DRAINAGE IMPROVMENTS ON MAGNOLIA (E. LUCAS)
OWNER: CITY OF BEAUMONT
CONTRACTOR: REYTEC CONSTRUCTION RESOURCES, INC.
CHANGE ORDER NO.: 1

THE FOLLOWING CHANGES IN THE PLANS AND/OR SPECIFICATIONS ARE HEREBY MADE:

Construction contract time increase by ninety (90) days due to inclement weather and additional work related to driveway modifications .

Item No.	Item Code	Description	Unit	Original Quantity	New Quantity	Unit Price/Total	
		No changes made to bid item quantities or pricing per Change Order No. 1					
TOTAL:							\$0.00

NINETY (90) DAYS ADDED TO THE END OF THE 365 CALENDAR DAYS IN THE CONTRACT BY THIS CHANGE ORDER .

ORIGINAL CONTRACT AMOUNT:	<u>\$4,820,038.45</u>
NET FROM PREVIOUS CHANGE ORDERS:	<u>\$0.00</u>
TOTAL AMOUNT OF THIS CHANGE ORDER:	<u>\$0.00</u>
PERCENT OF THIS CHANGE ORDER:	<u>0.00%</u>
TOTAL PERCENT CHANGE ORDER TO DATE:	<u>0.00%</u>
NEW CONTRACT AMOUNT:	<u>\$4,820,038.45</u>

ACCEPTED BY:


REYTEC CONSTRUCTION RESOURCES, INC.

PREPARED BY:


CHACE MANN, PROJECT MANAGER

RECOMMENDED BY:


ZHENG TAN, CITY ENGINEER


MR. JOSEPH MAJDALANI, P.E., PUBLIC WORKS DIRECTOR

APPROVED BY:


KYLE HAYES, CITY MANAGER

ATTESTED BY:


TINA BROUSSARD, CITY CLERK

CITY OF BEAUMONT

DATE: MAY 22, 2015
 PROJECT: PAVING & DRAINAGE IMPROVEMENTS ON MAGNOLIA (E. LUCAS TO GILL ST.)
 OWNER: CITY OF BEAUMONT
 CONTRACTOR: REYTEC CONSTRUCTION RESOURCES, INC.
 CHANGE ORDER NO.: 02 (FINAL)

THE FOLLOWING CHANGES IN THE PLANS AND/OR SPECIFICATIONS ARE HEREBY MADE:

Adjust the Estimated Quantities to reflect Actual Quantities used in the completion of the project.

Item	Item No.	Desc. Code	Description	Unit	Estimated Quantity	Actual Quantity	Unit Price	Change Order Amount
PAVING AND DRAINAGE DEDUCTIONS								
8	162	001	BLOCK SODDING	SY	4,921	4,875	\$5.00	(\$230.00)
9	247	001	ROCK BEDDING (# 57)	SY	2,875	1,856.07	\$1.00	(\$1,018.93)
11	260	002	LIME TREATMENT (HYDRATED LIME SLURRY) (MATERIAL)	TONS	351	220.68	\$175.00	(\$22,806.00)
13	276	002	CEMENT TREATMENT (PLANT MIX) (CL L) (TY A) (6") (ROADWAY)	SY	20,228	18,244.34	\$20.00	(\$39,673.20)
17	400	002	CEMENT STABILIZED BACKFILL (BOX AND PIPE)	CY	3,602	3,259.83	\$50.00	(\$17,108.30)
21	462	004	4' X 4' REINFORCED CONCRETE BOX	LF	947	927	\$300.00	(\$6,000.00)
24	464	003	30" RCP (CL III)	LF	197	124	\$105.00	(\$7,665.00)
30	465	005	MANHOLE (BOX ACCESS) (COMPLETE)	EA	2	0	\$4,600.00	(\$9,200.00)
31	465	006	MANHOLE - INLET (COMPLETE)	EA	14	0	\$4,000.00	(\$56,000.00)
32	465	007	MANHOLE-INLET (BOX ACCESS) (COMPLETE)	EA	7	2	\$4,200.00	(\$21,000.00)
33	465	008	INLET EXTENSION (COMPLETE)	EA	2	1	1500	(\$1,500.00)
40	506	001	TEMP. EROS. SEDIMENT & ENVR. CNTRL. (FABRIC)	LF	7,227	390	\$1.00	(\$6,837.00)
41	506	002	TEMP. EROS. SEDIMENT & ENVR. CNTRL. (ROCK FILTER)	LF	40	0	\$50.00	(\$2,000.00)
42	506	003	TEMP. EROS. SEDIMENT & ENVR. CNTRL. (TUBE FILTER)	LF	37	28	\$8.00	(\$72.00)
43	506	004	TEMP. EROSION, SEDIMENT & ENVR. CNTRL. (CONSTRUCTION EXIT)	SY	800	0	\$5.00	(\$4,000.00)
44	529	001	CONCRETE CURB (TY A)	LF	6,904	4,846.90	\$3.50	(\$7,199.85)
46	530	001	CONCRETE PAVEMENT (DRIVEWAY) (4") (RES)	SY	1,736	500.65	\$42.00	(\$51,909.90)
48	530	003	CONCRETE PAVEMENT (DRIVEWAY) (6") (RES)	SY	100	14.32	\$54.00	(\$4,626.72)
50	531	002	CONCRETE WHEEL CHAIR RAMP (TYPE 7) (4")	EA	25	10	\$800.00	(\$12,000.00)
51	531	003	CONCRETE WHEEL CHAIR RAMP (TYPE 9) (4")	EA	3	1	\$1,000.00	(\$2,000.00)
PAVING AND DRAINAGE TOTAL AMOUNT DEDUCTED								(\$272,847.10)
PAVING AND DRAINAGE ADDITIONS								
3	104	003	REMOVE CONCRETE (PAVEMENT) (8")	SY	14,095	14,954.44	\$3.50	\$3,008.04
4	104	004	REMOVE CONCRETE (DRIVEWAYS) (6")	SY	1,485	1,545.44	\$6.00	\$362.64
5	104	006	REMOVE ASPHALT (DRIVEWAYS)	SY	74	155.76	\$4.00	\$327.04
6	110	001	EXCAVATION (ROADWAYS - ALL DEPTHS)	CY	8,347	14,814.28	\$12.00	\$77,607.36
7	132	001	EMBANKMENT (DC, TYPE A)	CY	704	7,199.26	\$15.00	\$97,428.90
10	260	001	LIME TREATMENT (ROAD MIX) (DENSITY CONTROL) (6")	SY	20,228	21,981.27	\$4.50	\$7,889.72
12	276	001	CEMENT TREATMENT (PLANT MIX) (CL L) (TY A) (12") (TRANSITION)	SY	1,907	2,357	\$48.00	\$21,600.00
14	340	001	DENSE GRADED HOT-MIX ASPHALT (PG 70-22)	TONS	203	314.39	\$140.00	\$15,594.60
15	360	001	CONC. PAVMT (10") (CLASS P) (FS-370 PSI @ 7 DAYS)	SY	19,006	19,319.77	\$54.00	\$16,943.58
16	400	001	STRUCTURAL EXCAVATION (TRENCH)	CY	12,464	16,474.66	\$6.00	\$24,063.96
18	402	001	TRENCH EXCAVATION PROTECTION	LF	5,191	5,231	\$1.00	\$40.00
19	462	001	7' X 5' REINFORCED CONCRETE BOX	LF	63	64	\$500.00	\$500.00
20	462	003	5' X 5' REINFORCED CONCRETE BOX	LF	1,801	1,826	\$370.00	\$9,250.00
22	464	001	18" RCP (CL III)	LF	484	772	\$74.00	\$21,312.00
23	464	002	24" RCP (CL III)	LF	1,381	1,483	\$80.00	\$8,160.00
25	464	004	36" RCP (CL III)	LF	318	499	\$150.00	\$27,150.00
26	465	001	CURB INLET (TY A) (COMPLETE)	EA	13	34	\$4,200.00	\$88,200.00
29	465	004	MANHOLE (TY A) (COMPLETE)	EA	3	5	\$7,000.00	\$14,000.00
34	479	001	ADJUSTING MANHOLES & INLETS (MANHOLE FRAME & COVER)	EA	3	4	\$1,600.00	\$1,600.00
37	496	003	REMOVE OLD STRUCTURE (PIPE)	LF	4,635	5,331	\$4.00	\$2,784.00
39	502	001	BARRICADES, SIGNS, AND TRAFFIC HANDLING	MO	12	13	\$5,000.00	\$5,000.00
45	529	002	CONCRETE CURB & GUTTER COMBINED (2' X 6")	LF	35	40	\$40.00	\$200.00
47	530	002	CONCRETE PAVEMENT (DRIVEWAY) (6") (COMM)	SY	1,485	1,769.15	\$54.00	\$15,344.10
49	531	001	CONCRETE SIDEWALK (4")	SY	1,677	2,265.69	\$40.00	\$23,547.60
107	NEW	CO2	CURB INLET PIPE COLLARS FOR EXISTING UTILITY CLEARANCE	LS	0	1	\$2,842.80	\$2,842.80
108	NEW	CO2	REMOVE & RELOC. DOWEL BASKETS & STEEL PER DESIGN ADJUST.	LS	0	1	\$1,455.33	\$1,455.33
109	NEW	CO2	CONCRETE ENCASMENT REMOVAL FOR MAGNOLIA / GILL TIE-IN	LS	0	1	\$1,985.76	\$1,985.76
110	NEW	CO2	ADJUST EIGHT (8) TYPE A INLETS & INSTALL 18" HDPE EXTENSIONS	LS	0	1	\$12,979.48	\$12,979.48
111	NEW	CO2	INSTALL ADA APPROVED DETECTABLE WARNING PANELS	LS	0	1	\$3,040.89	\$3,040.89
PAVING AND DRAINAGE TOTAL AMOUNT ADDED								\$504,217.80
TRANSPORTATION DEDUCTIONS								
52	644	001	RELOCATE SMALL ROAD SIGN ASSEMBLY	EA	38	30	\$270.00	(\$2,160.00)
53	666	001	4" TYPE I (Y) (100ML)	LF	5,894	5,400	\$1.00	(\$494.00)
57	666	003	4" THERMO PLASTIC SEALER (LANE)	LF	1,521	0	\$0.50	(\$760.50)
61	666	009	6" TYPE I (W) (DOT) (100 ML)	LF	96	0	\$0.80	(\$76.80)
64	666	012	THERMO PLASTIC SEALER (DOT)	LF	96	0	\$0.40	(\$38.40)
66	678	001	PAVMT SURF PREP FOR MARKINGS (4")	LF	5,894	0	\$0.40	(\$2,357.60)
69	678	004	PAVMT SURF PREP FOR MARKINGS (6") (DOT)	LF	96	0	\$0.35	(\$33.60)
TRANSPORTATION TOTAL AMOUNT DEDUCTED								(\$5,920.90)
TRANSPORTATION ADDITIONS								
54	666	002	4" TYPE I (W) (100ML)	LF	1,521	1,640	\$1.20	\$142.80
55	666	003	12" TYPE I (W) (CROSSWALK) (100ML)	LF	1,655	1,943	\$5.00	\$1,440.00
56	666	004	4" THERMO PLASTIC SEALER	LF	5,894	7,040	\$0.40	\$455.40
58	666	006	12" THERMO PLASTIC SEALER (CROSSWALK)	LF	1,655	1,943	\$2.00	\$576.00
60	666	008	PREPAB PAV MKNG TY C (W) (" ONLY") (100 ML)	EA	4	10	\$290.00	\$1,740.00
67	678	002	PAVMT SURF PREP FOR MARKINGS (4") (LANE)	LF	1,521	7,040	\$0.50	\$2,759.50
68	678	003	PAVMT SURF PREP FOR MARKINGS (12" CROSSWALK)	LF	1,655	1,943	\$1.00	\$288.00
TRANSPORTATION TOTAL AMOUNT ADDED								\$7,404.70

WATER UTILITIES DEDUCTIONS

75	4	FURNISH & INSTALL 2" HDPE, SDR-9, 200 psi (TRENCH/BORE)	LF	200	42	\$30.00	(\$7,900.00)
80	9	FURNISH & INSTALL 6" MJ SOLID SLEEVE	EA	7	2	\$200.00	(\$1,000.00)
81	10	FURNISH & INSTALL 8" MJ SOLID SLEEVE	EA	5	1	\$250.00	(\$1,000.00)
82	11	FURNISH & INSTALL 12" MJ SOLID SLEEVE	EA	3	1	\$400.00	(\$800.00)
86	15	FURNISH & INSTALL 8" X 8" MJ TEE	EA	1	0	\$400.00	(\$400.00)
90	19	FURNISH & INSTALL 12" X 12" MJ CROSS	EA	1.00	0	\$1,100.00	(\$1,100.00)
92	21	FURNISH & INSTALL 12" X 6" MJ REDUCER	EA	2.00	0	\$320.00	(\$640.00)
93	22	FURNISH & INSTALL 8" X 6" MJ REDUCER	EA	1.00	0	\$210.00	(\$210.00)
95	24	FURNISH & INSTALL 8" RES. WEDGE GV & BOX	EA	9.00	8	\$1,300.00	(\$1,300.00)
97	26	FURNISH & INSTALL 4" RES. WEDGE GV & BOX	EA	1.00	0	\$750.00	(\$750.00)
98	27	FURNISH & INSTALL 2" BALL VALVE & BOX	EA	2.00	1	\$500.00	(\$500.00)
99	28	FURNISH & INSTALL FIRE HYDRANT ASSEMBLY	EA	10.00	9	\$5,300.00	(\$5,300.00)
103	32	REPLMT OF 2" HDPE, PE3408 SDR-9, 200PSI LONG SIDE SERV CONN	EA	3.00	1	\$1,900.00	(\$3,800.00)
105	34	REMOVE & REPLACE SANITARY SEWER MANHOLE	EA	2.00	0	\$7,000.00	(\$14,000.00)
106	35	REMOVE & REPLACE 10" SANITARY SEWER LINES	LF	115.00	0	\$160.00	(\$18,400.00)
WATER UTILITIES TOTAL AMOUNT DEDUCTED							(\$57,100.00)

WATER UTILITIES ADDITIONS

72	1	FURNISH & INSTALL 12" PVC, CL150-DR18-900 PVC (TRENCH/BORE)	LF	3450	3,501	\$95.00	\$4,845.00
73	2	FURNISH & INSTALL 8" PVC, CL150-DR18-900 PVC (TRENCH/BORE)	LF	186	387	\$120.00	\$24,120.00
74	3	FURNISH & INSTALL 6" PVC, CL150-DR18-900 PVC (TRENCH/BORE)	LF	416	949	\$100.00	\$53,300.00
77	6	FURNISH & INSTALL 6" MJ 45 DEG BEND	EA	11	38	\$180.00	\$4,860.00
78	7	FURNISH & INSTALL 8" MJ 45 DEG BEND	EA	8	11	\$230.00	\$690.00
79	8	FURNISH & INSTALL 12" MJ 45 DEG BEND	EA	4	12	\$500.00	\$4,000.00
83	12	FURNISH & INSTALL 6" X 2" TAPPED CAP	EA	4	8	\$240.00	\$960.00
84	13	FURNISH & INSTALL 8" X 2" TAPPED CAP	EA	1	4	\$270.00	\$810.00
85	14	FURNISH & INSTALL 12" X 2" TAPPING SADDLE	EA	1	2	\$580.00	\$580.00
89	18	FURNISH & INSTALL 12" X 6" MJ REDUCING TEE	EA	7.00	9	\$550.00	\$1,100.00
100	29	REPLMT OF 1" HDPE, PE3408 SDR-9, 200PSI SHORT SIDE SERV CONN	EA	16.00	20	\$800.00	\$3,200.00
101	30	REPLMT OF 1" HDPE, PE3408 SDR-9, 200PSI LONG SIDE SERV CONN	EA	27.00	31	\$1,300.00	\$5,200.00
102	31	REPLMT OF 2" HDPE, PE3408 SDR-9, 200PSI SHORT SIDE SERV CONN	EA	2.00	3	\$1,500.00	\$1,500.00
WATER UTILITIES TOTAL AMOUNT ADDED							\$105,165.00
TOTAL AMOUNT ADDED TO THE CONTRACT							\$280,919.50

NO CALENDAR DAYS HAVE BEEN ADDED TO THE CONTRACT BY THIS CHANGE ORDER

ORIGINAL CONTRACT AMOUNT: \$4,820,038.45
 NET FROM PREVIOUS CHANGE ORDERS: \$0.00
 TOTAL AMOUNT OF THIS CHANGE ORDER: \$280,919.50
 PERCENT OF THIS CHANGE ORDER: 5.83%
 TOTAL PERCENT CHANGE ORDER TO DATE: 5.83%
 NEW CONTRACT AMOUNT: \$5,100,957.95

ACCEPTED BY: [Signature] 6/1/2015
 REYTRC CONSTRUCTION RESOURCES, INC.

PREPARED BY: [Signature]
 CHACE MANN, PROJECT MANAGER

RECOMMENDED BY: [Signature]
 ZHENG TAN, CITY ENGINEER

[Signature]
 DR. JOSEPH MADALANI, P.E., PUBLIC WORKS DIRECTOR

APPROVED BY: [Signature]
 KYLE HAYES, CITY MANAGER

ATTESTED BY: [Signature]
 TINA BROUSSARD, CITY CLERK

**CITY OF BEAUMONT
MONTHLY PAY ESTIMATE**

BPO - 350554

SHEET 1 OF 4

PROJECT NAME : PAVING & DRAINAGE IMPROVEMENTS ON MAGNOLIA (EAST LUCASE TO GILL)				PROJECT NUMBER : BMTPWENG0040			
CONTRACTOR : REYTEC CONSTRUCTION RESOURCES, INC.				CONTRACT DATE : FEBRUARY 3, 2014			
MONTHLY ESTIMATE # : 15				NEW CONTRACT CALENDAR DAYS : 455			
CONTRACT AMOUNT : \$5,100,957.95		PERCENT OF TIME USED : 96%		PERCENT OF WORK COMPLETED : 100.0%			
PAY PERIOD : FINAL PAYMENT - CONTRACT CLOSEOUT		CALENDAR DAYS USED : 438		CHANGE ORDERS : 2			

ITEM	ITEM NO.	DESC. CODE	ALT.	DESCRIPTION	CONTRACT QUANTITY	UNIT	PREVIOUS ESTIMATE	CURRENT ESTIMATE	TOTAL ESTIMATE	UNIT PRICE	TOTAL AMOUNT
1	104	001		REMOVE CONCRETE CURB & GUTTER COMBINED	6,663.00	LF	6,663.00	-	6,663.00	\$2.25	\$14,991.75
2	104	002		REMOVE CONCRETE (SIDEWALKS & W.C. RAMP) (4")	2,167.00	SY	2,167.00	-	2,167.00	\$2.00	\$4,334.00
3	104	003		REMOVE CONCRETE (PAVEMENT) (8")	14,954.44	SY	14,954.44	-	14,954.44	\$3.50	\$52,340.54
4	104	004		REMOVE CONCRETE (DRIVEWAYS) (6")	1,545.44	SY	1,545.44	-	1,545.44	\$6.00	\$9,272.64
5	104	006		REMOVE ASPHALT (DRIVEWAYS)	155.76	SY	155.76	-	155.76	\$4.00	\$623.04
6	110	001		EXCAVATION (ROADWAYS - ALL DEPTHS)	14,814.28	CY	14,814.28	-	14,814.28	\$12.00	\$177,771.36
7	132	001		EMBANKMENT (DC, TYPE A)	7,199.26	CY	7,199.26	-	7,199.26	\$15.00	\$107,988.90
8	162	001		BLOCK SODDING	4,875.00	SY	4,875.00	-	4,875.00	\$5.00	\$24,375.00
9	247	001		ROCK BEDDING (# 57)	1,856.07	SY	1,856.07	-	1,856.07	\$1.00	\$1,856.07
10	260	001		LIME TREATMENT (ROAD MIX) (DENSITY CONTROL) (6")	21,981.27	SY	21,981.27	-	21,981.27	\$4.50	\$98,915.72
11	260	002		LIME TREATMENT (HYDRATED LIME SLURRY) (MATERIAL)	220.68	TONS	220.68	-	220.68	\$175.00	\$38,619.00
12	276	001		CEMENT TREATMENT (PLANT MIX) (CL L) (TY A) (300 PSI - 7 DAYS) (GRD 3) (12") (TRANSITION)	2,357.00	SY	2,357.00	-	2,357.00	\$48.00	\$113,136.00
13	276	002		CEMENT TREATMENT (PLANT MIX) (CL L) (TY A) (300 PSI - 7 DAYS) (GRD 3) (6") (ROADWAY)	18,244.34	SY	18,244.34	-	18,244.34	\$20.00	\$364,886.80
14	340	001		DENSE GRADED HOT-MIX ASPHALT (PG 70-22)	314.39	TONS	314.39	-	314.39	\$140.00	\$44,014.60
15	360	001		CONC. PAVMT (10")(CLASS P)(FS-570 PSI @ 7 DAYS)	19,319.77	SY	19,319.77	-	19,319.77	\$54.00	\$1,043,267.58
16	400	001		STRUCTURAL EXCAVATION (TRENCH)	16,474.66	CY	16,474.66	-	16,474.66	\$6.00	\$98,847.96
17	400	002		CEMENT STABILIZED BACKFILL (BOX AND PIPE)	3,259.83	CY	3,259.83	-	3,259.83	\$50.00	\$162,991.50
18	402	001		TRENCH EXCAVATION PROTECTION	5,231.00	LF	5,231.00	-	5,231.00	\$1.00	\$5,231.00
19	462	001		7' X 5' REINFORCED CONCRETE BOX	64.00	LF	64.00	-	64.00	\$500.00	\$32,000.00
20	462	003		5' X 5' REINFORCED CONCRETE BOX	1,826.00	LF	1,826.00	-	1,826.00	\$370.00	\$675,620.00
21	462	004		4' X 4' REINFORCED CONCRETE BOX	927.00	LF	927.00	-	927.00	\$300.00	\$278,100.00
22	464	001		18" RCP (CL. III)	772.00	LF	772.00	-	772.00	\$74.00	\$57,128.00
23	464	002		24" RCP (CL. III)	1,483.00	LF	1,483.00	-	1,483.00	\$80.00	\$118,640.00
24	464	003		30" RCP (CL. III)	124.00	LF	124.00	-	124.00	\$105.00	\$13,020.00
25	464	004		36" RCP (CL. III)	499.00	LF	499.00	-	499.00	\$150.00	\$74,850.00
26	465	001		CURB INLET (TY A) (COMPLETE)	34.00	EA	34.00	-	34.00	\$4,200.00	\$142,800.00
27	465	002		CURB INLET (TY R) (COMPLETE)	2.00	EA	2.00	-	2.00	\$5,500.00	\$11,000.00
28	465	003		CURB INLET (TY S) (COMPLETE)	21.00	EA	21.00	-	21.00	\$3,000.00	\$63,000.00
29	465	004		MANHOLE (TY A) (COMPLETE)	5.00	EA	5.00	-	5.00	\$7,000.00	\$35,000.00
30	465	005		MANHOLE (BOX ACCESS) (COMPLETE)	-	EA	-	-	-	\$4,600.00	\$0.00
31	465	006		MANHOLE - INLET (COMPLETE)	-	EA	-	-	-	\$4,000.00	\$0.00
32	465	007		MANHOLE-INLET (BOX ACCESS) (COMPLETE)	2.00	EA	2.00	-	2.00	\$4,200.00	\$8,400.00
33	465	008		INLET EXTENSION (COMPLETE)	1.00	EA	1.00	-	1.00	\$1,500.00	\$1,500.00
34	479	001		ADJUSTING MANHOLES & INLETS (MANHOLE FRAME & COVER)	4.00	EA	4.00	-	4.00	\$1,600.00	\$6,400.00
35	496	001		REMOVE OLD STRUCTURE (INLET)	32.00	EA	32.00	-	32.00	\$165.00	\$5,280.00
36	496	002		REMOVE OLD STRUCTURE (MANHOLE)	13.00	EA	13.00	-	13.00	\$330.00	\$4,290.00
37	496	003		REMOVE OLD STRUCTURE (PIPE)	5,331.00	LF	5,331.00	-	5,331.00	\$4.00	\$21,324.00

BPO - 350554

SHEET 2 OF 4

PROJECT NAME :	PAVING & DRAINAGE IMPROVEMENTS ON MAGNOLIA (EAST LUCASE TO GILL)			PROJECT NUMBER :	BMTPWENG0040		
CONTRACTOR :	REYTEC CONSTRUCTION RESOURCES, INC.			CONTRACT DATE :	FEBRUARY 3, 2014		
MONTHLY ESTIMATE # :	15			NEW CONTRACT CALENDAR DAYS :	455		
CONTRACT AMOUNT :	\$5,100,957.95		PERCENT OF TIME USED :	96%		PERCENT OF WORK COMPLETED :	100.0%
PAY PERIOD :	FINAL PAYMENT - CONTRACT CLOSEOUT		CALENDAR DAYS USED :	438		CHANGE ORDERS :	2

ITEM	ITEM NO.	DESC. CODE	ALT.	DESCRIPTION	CONTRACT QUANTITY	Unit	PREVIOUS ESTIMATE	CURRENT ESTIMATE	TOTAL ESTIMATE	UNIT PRICE	TOTAL AMOUNT
38	500	001		MOBILIZATION	1.00	LS	1.00	-	1.00	\$140,000.00	\$140,000.00
39	502	001		BARRICADES, SIGNS, AND TRAFFIC HANDLING	13.00	MO	13.00	-	13.00	\$5,000.00	\$65,000.00
40	506	001		TEMP. EROS., SEDIMENT & ENVR. CNTRL. (FABRIC) (INSTALLATION & REMOVAL)	390.00	LF	390.00	-	390.00	\$1.00	\$390.00
41	506	002		TEMP. EROS., SEDIMENT & ENVR. CNTRL. (ROCK FILTER) (INSTALLATION & REMOVAL)	-	LF	-	-	-	\$50.00	\$0.00
42	506	003		TEMP. EROS., SEDIMENT & ENVR. CNTRL. (TUBE FILTER) (INSTALLATION & REMOVAL)	28.00	LF	28.00	-	28.00	\$8.00	\$224.00
43	506	004		TEMP. EROSION, SEDIMENT & ENVR. CNTRL. (CONSTRUCTION EXIT) (INSTALLATION & REMOVAL)	-	SY	-	-	-	\$5.00	\$0.00
44	529	001		CONCRETE CURB (TY A)	4,846.90	LF	4,846.90	-	4,846.90	\$3.50	\$16,964.15
45	529	002		CONCRETE CURB & GUTTER COMBINED (2' X 6")	40.00	LF	40.00	-	40.00	\$40.00	\$1,600.00
46	530	001		CONCRETE PAVEMENT (DRIVEWAY) (4")(RES)	500.05	SY	500.05	-	500.05	\$42.00	\$21,002.10
47	530	002		CONCRETE PAVEMENT (DRIVEWAY) (6")(COMM)	1,769.15	SY	1,769.15	-	1,769.15	\$54.00	\$95,534.10
48	530	003		CONCRETE PAVEMENT (DRIVEWAY) (6")(RES)	14.32	SY	14.32	-	14.32	\$54.00	\$773.28
49	531	001		CONCRETE SIDEWALK (4")	2,265.69	SY	2,265.69	-	2,265.69	\$40.00	\$90,627.60
50	531	002		CONCRETE WHEEL CHAIR RAMP (TYPE 7) (4")	10.00	EA	10.00	-	10.00	\$800.00	\$8,000.00
51	531	003		CONCRETE WHEEL CHAIR RAMP (TYPE 9) (4")	1.00	EA	1.00	-	1.00	\$1,000.00	\$1,000.00
107	NEW	CO2		CURB INLET PIPE COLLARS FOR EXISTING UTILITY CLEARANCE	1.00	LS	-	1.00	1.00	\$2,842.80	\$2,842.80
108	NEW	CO2		REMOVE & RELOC. DOWEL BASKETS & STEEL PER DESIGN ADJUST	1.00	LS	-	1.00	1.00	\$1,455.33	\$1,455.33
109	NEW	CO2		CONCRETE ENCASEMENT REMOVAL FOR MAGNOLIA / GILL TIE-IN	1.00	LS	-	1.00	1.00	\$1,985.76	\$1,985.76
110	NEW	CO2		ADJUST EIGHT (8) TYPE A INLETS & INSTALL 18" HDPE EXTENSION	1.00	LS	-	1.00	1.00	\$12,979.48	\$12,979.48
111	NEW	CO2		INSTALL ADA APPROVED DETECTABLE WARNING PANELS	1.00	LS	-	1.00	1.00	\$3,040.89	\$3,040.89
TRANSPORTATION											
52	644	001		RELOCATE SMALL ROAD SIGN ASSEMBLY	30.00	EA	30.00	-	30.00	\$270.00	\$8,100.00
53	666	001		4" TYPE I (Y) (100ML)	5,400.00	LF	5,400.00	-	5,400.00	\$1.00	\$5,400.00
54	666	002		4" TYPE I (W) (100ML)	1,640.00	LF	1,640.00	-	1,640.00	\$1.20	\$1,968.00
55	666	003		12" TYPE I (W) (CROSSWALK) (100ML)	1,943.00	LF	1,943.00	-	1,943.00	\$5.00	\$9,715.00
56	666	004		4" THERMO PLASTIC SEALER	7,040.00	LF	7,040.00	-	7,040.00	\$0.40	\$2,816.00
57	666	005		4" THERMO PLASTIC SEALER (LANE)	-	LF	-	-	-	\$0.50	\$0.00
58	666	006		12" THERMO PLASTIC SEALER (CROSSWALK)	1,943.00	LF	1,943.00	-	1,943.00	\$2.00	\$3,886.00
59	666	007		PREFAB PAV MRKNG TY C (W) (ARROW) (100 ML)	4.00	EA	4.00	-	4.00	\$210.00	\$840.00
60	666	008		PREFAB PAV MRKNG TY C (W) (" ONLY") (100 ML)	10.00	EA	10.00	-	10.00	\$290.00	\$2,900.00
61	666	009		6" TYPE I (W) (DOT) (100 ML)	-	LF	-	-	-	\$0.80	\$0.00
62	666	010		THERMO PLASTIC SEALER (ARROW)	4.00	EA	4.00	-	4.00	\$40.00	\$160.00
63	666	011		THERMO PLASTIC SEALER (" ONLY")	4.00	EA	4.00	-	4.00	\$60.00	\$240.00
64	666	012		THERMO PLASTIC SEALER (DOT)	-	LF	-	-	-	\$0.40	\$0.00
65	672	001		REFL PMVT MARKER (TYPE II-B-B) (FOR FH)	10.00	EA	10.00	-	10.00	\$10.00	\$100.00
66	678	001		PAVMT SURF PREP FOR MARKINGS (4")	-	LF	-	-	-	\$0.40	\$0.00
67	678	002		PAVMT SURF PREP FOR MARKINGS (4") (LANE)	7,040.00	LF	7,040.00	-	7,040.00	\$0.50	\$3,520.00
68	678	003		PAVMT SURF PREP FOR MARKINGS (12" CROSSWALK)	1,943.00	LF	1,943.00	-	1,943.00	\$1.00	\$1,943.00
69	678	004		PAVMT SURF PREP FOR MARKINGS (6") (DOT)	-	LF	-	-	-	\$0.35	\$0.00
70	678	005		PAVMT SURF PREP FOR MARKINGS (ARROW)	4.00	EA	4.00	-	4.00	\$25.00	\$100.00
71	678	006		PAVMT SURF PREP FOR MARKINGS (" ONLY")	4.00	EA	4.00	-	4.00	\$25.00	\$100.00

BPO - 350554

SHEET 3 OF 4

PROJECT NAME :	PAVING & DRAINAGE IMPROVEMENTS ON MAGNOLIA (EAST LUCASE TO GILL)	PROJECT NUMBER :	BMTPWENG0040
CONTRACTOR :	REYTEC CONSTRUCTION RESOURCES, INC.	CONTRACT DATE :	FEBRUARY 3, 2014
MONTHLY ESTIMATE # :	15	NEW CONTRACT CALENDAR DAYS :	455
CONTRACT AMOUNT :	\$5,100,957.95	PERCENT OF TIME USED :	96%
PAY PERIOD :	FINAL PAYMENT - CONTRACT CLOSEOUT	PERCENT OF WORK COMPLETED :	100.0%
		CALENDAR DAYS USED :	438
		CHANGE ORDERS :	2

ITEM	ITEM NO.	DESC. CODE	ALT.	DESCRIPTION	BID QUANTITY	Unit	PREVIOUS ESTIMATE	CURRENT ESTIMATE	TOTAL ESTIMATE	UNIT PRICE	TOTAL AMOUNT
WATER UTILITIES											
72	1			FURNISH & INSTALL 12" PVC, CL.150-DR18-900 PVC (OPEN TRENCH/DIR BORE)	3,501.00	LF	3,501.00	-	3,501.00	\$95.00	\$332,595.00
73	2			FURNISH & INSTALL 8" PVC, CL.150-DR18-900 PVC (OPEN TRENCH/DIR BORE)	387.00	LF	387.00	-	387.00	\$120.00	\$46,440.00
74	3			FURNISH & INSTALL 6" PVC, CL.150-DR18-900 PVC (OPEN TRENCH/DIR BORE)	949.00	LF	949.00	-	949.00	\$100.00	\$94,900.00
75	4			FURNISH & INSTALL 2" HDPE, SDR-9, 200 psi (OPEN TRENCH/DIR BORE)	42.00	LF	42.00	-	42.00	\$50.00	\$2,100.00
76	5			FURNISH & INSTALL 8" MJ 90 DEG BEND	1.00	EA	1.00	-	1.00	\$250.00	\$250.00
77	6			FURNISH & INSTALL 6" MJ 45 DEG BEND	38.00	EA	38.00	-	38.00	\$180.00	\$6,840.00
78	7			FURNISH & INSTALL 8" MJ 45 DEG BEND	11.00	EA	11.00	-	11.00	\$230.00	\$2,530.00
79	8			FURNISH & INSTALL 12" MJ 45 DEG BEND	12.00	EA	12.00	-	12.00	\$500.00	\$6,000.00
80	9			FURNISH & INSTALL 6" MJ SOLID SLEEVE	2.00	EA	2.00	-	2.00	\$200.00	\$400.00
81	10			FURNISH & INSTALL 8" MJ SOLID SLEEVE	1.00	EA	1.00	-	1.00	\$250.00	\$250.00
82	11			FURNISH & INSTALL 12" MJ SOLID SLEEVE	1.00	EA	1.00	-	1.00	\$400.00	\$400.00
83	12			FURNISH & INSTALL 6" X 2" TAPPED CAP	8.00	EA	8.00	-	8.00	\$240.00	\$1,920.00
84	13			FURNISH & INSTALL 8" X 2" TAPPED CAP	4.00	EA	4.00	-	4.00	\$270.00	\$1,080.00
85	14			FURNISH & INSTALL 12" X 2" TAPPING SADDLE	2.00	EA	2.00	-	2.00	\$580.00	\$1,160.00
86	15			FURNISH & INSTALL 8" X 8" MJ TEE	-	EA	-	-	-	\$400.00	\$0.00
87	16			FURNISH & INSTALL 12" X 12" MJ TEE	1.00	EA	1.00	-	1.00	\$750.00	\$750.00
88	17			FURNISH & INSTALL 12" X 8" MJ REDUCING TEE	4.00	EA	4.00	-	4.00	\$580.00	\$2,320.00
89	18			FURNISH & INSTALL 12" X 6" MJ REDUCING TEE	9.00	EA	9.00	-	9.00	\$550.00	\$4,950.00
90	19			FURNISH & INSTALL 12" X 12" MJ CROSS	-	EA	-	-	-	\$1,100.00	\$0.00
91	20			FURNISH & INSTALL 12" X 8" MJ REDUCER	1.00	EA	1.00	-	1.00	\$350.00	\$350.00
92	21			FURNISH & INSTALL 12" X 6" MJ REDUCER	-	EA	-	-	-	\$320.00	\$0.00
93	22			FURNISH & INSTALL 8" X 6" MJ REDUCER	-	EA	-	-	-	\$210.00	\$0.00
94	23			FURNISH & INSTALL 12" RES. WEDGE GV & BOX	15.00	EA	15.00	-	15.00	\$2,200.00	\$33,000.00
95	24			FURNISH & INSTALL 8" RES. WEDGE GV & BOX	8.00	EA	8.00	-	8.00	\$1,300.00	\$10,400.00
96	25			FURNISH & INSTALL 6" RES. WEDGE GV & BOX	16.00	EA	16.00	-	16.00	\$900.00	\$14,400.00
97	26			FURNISH & INSTALL 4" RES. WEDGE GV & BOX	-	EA	-	-	-	\$750.00	\$0.00
98	27			FURNISH & INSTALL 2" BALL VALVE & BOX	1.00	EA	1.00	-	1.00	\$500.00	\$500.00
99	28			FURNISH & INSTALL FIRE HYDRANT ASSEMBLY	9.00	EA	9.00	-	9.00	\$5,300.00	\$47,700.00
100	29			REPLMT OF 1" HDPE, PE3408 SDR-9, 200PSI SHORT SIDE SERV CONN	20.00	EA	20.00	-	20.00	\$800.00	\$16,000.00
101	30			REPLMT OF 1" HDPE, PE3408 SDR-9, 200PSI LONG SIDE SERV CONN	31.00	EA	31.00	-	31.00	\$1,300.00	\$40,300.00
102	31			REPLMT OF 2" HDPE, PE3408 SDR-9, 200PSI SHORT SIDE SERV CONN	3.00	EA	3.00	-	3.00	\$1,500.00	\$4,500.00
103	32			REPLMT OF 2" HDPE, PE3408 SDR-9, 200PSI LONG SIDE SERV CONN	1.00	EA	1.00	-	1.00	\$1,900.00	\$1,900.00

BPO - 350554

SHEET 4 OF 4

PROJECT NAME :	PAVING & DRAINAGE IMPROVEMENTS ON MAGNOLIA (EAST LUCASE TO GILL)	PROJECT NUMBER :	BMTPWENG0040
CONTRACTOR :	REYTEC CONSTRUCTION RESOURCES, INC.	CONTRACT DATE :	FEBRUARY 3, 2014
MONTHLY ESTIMATE # :	15	NEW CONTRACT CALENDAR DAYS :	455
CONTRACT AMOUNT :	\$5,100,957.95	PERCENT OF TIME USED :	96%
PAY PERIOD :	FINAL PAYMENT - CONTRACT CLOSEOUT	PERCENT OF WORK COMPLETED :	100.0%
		CALENDAR DAYS USED :	438
		CHANGE ORDERS :	2

ITEM	ITEM NO.	DESC. CODE	ALT.	DESCRIPTION	BID QUANTITY	Unit	PREVIOUS ESTIMATE	CURRENT ESTIMATE	TOTAL ESTIMATE	UNIT PRICE	TOTAL AMOUNT
104	33			REMOVAL OF EXIST WATERLINE	1.00	LS	1.00	-	1.00	\$10,000.00	\$10,000.00
105	34			REMOVE & REPLACE SANITARY SEWER MANHOLE	-	EA	-	-	-	\$7,000.00	\$0.00
106	35			REMOVE & REPLACE 10" SANITARY SEWER LINES	-	LF	-	-	-	\$160.00	\$0.00

PREPARED BY:

CHACE MANN - PROJECT MANAGER

RECOMMENDED BY:

ZERNG TAN, P.E. - CITY ENGINEER

APPROVED BY:

DR. JOSEPH MAJDALANI, P.E. - PUBLIC WORKS DIRECTOR

GRAND TOTAL AMOUNT OF WORK DONE :

\$5,100,957.95

RETAINAGE

\$0.00

LESS PREVIOUS PAY ESTIMATE :

\$4,824,721.00

AMOUNT DUE THIS ESTIMATE :

\$276,236.95

I certify that all work and materials covered by this Invoice have been completed and/or delivered in accordance with the Contract Documents.

REYTEC CONSTRUCTION RESOURCES, INC.

RESOLUTION NO.

WHEREAS, on November 19, 2013, the City Council of the City of Beaumont, Texas, passed Resolution No. 13-262 awarding a contract in the amount of \$4,820,038.45 to Reytec Construction Resources, Inc., of Houston, Texas, for the Magnolia Avenue Paving and Drainage, Water and Sanitary Sewer Improvement Project; and,

WHEREAS, Change Order No. 1, in the amount of \$0.00, was required to increase the construction contract time by ninety (90) days due to inclement weather and additional work related to driveway modifications, thereby having no affect on the total contract amount of \$4,820,038.45; and,

WHEREAS, Change Order No. 2, in the amount of \$280,919.50, is required to adjust the estimated quantities to reflect the actual quantities used in the completion of the project, thereby increasing the contract amount to \$5,100,957.95; and,

WHEREAS, the project has been inspected by the Engineering Division and found to be complete in accordance with the provisions and terms set forth in the contract;

NOW, THEREFORE, BE IT RESOLVED BY THE

CITY COUNCIL OF THE CITY OF BEAUMONT:

THAT the statements and findings set out in the preamble to this resolution are hereby, in all things, approved and adopted; and,

THAT the City Manager be and he is hereby authorized to execute Change Order No. 2 for additional work described above, thereby increasing the contract

amount by \$280,919.50 for a total contract amount of \$5,100,957.95 for the Magnolia Avenue Paving and Drainage, Water and Sanitary Sewer Improvement Project; and,

BE IT FURTHER RESOLVED THAT the Magnolia Avenue Paving and Drainage, Water and Sanitary Sewer Improvement Project be and the same is hereby accepted; and,

BE IT ALSO RESOLVED THAT the City Manager is hereby authorized to make final payment in the amount of \$276,236.95 to Reytec Construction Resources, Inc.

PASSED BY THE CITY COUNCIL of the City of Beaumont this the 30th day of June, 2015.

- Mayor Becky Ames -

June 30, 2015

Consider a resolution authorizing the City Manager to accept maintenance and authorize a final payment to McInnis Construction, Inc., for the new Fire Station No. 2 Project

BEAUMONT

— T E X A S —

TO: City Council

FROM: Kyle Hayes, City Manager

PREPARED BY: Dr. Joseph Majdalani, P.E., Public Works Director

MEETING DATE: June 30, 2015

REQUESTED ACTION: Council consider a resolution authorizing the City Manager to accept maintenance and authorize a final payment to McInnis Construction, Inc., for the new Fire Station No. 2 Project.

BACKGROUND

On October 22, 2013, by Resolution No. 13-240, City Council awarded McInnis Construction, Inc., of Silsbee, Texas the contract for Fire Station No. 2 in the amount of \$2,724,920.00.

Fire Station No. 2 had a total of thirteen (13) change orders. Change Orders 1-12 were deducted from the Contingency Allowance of \$40,000.00 and Change Order No. 13 in the amount of \$8,542.01 was executed by the City Manager making the final contract price \$2,733,462.01. The project has been inspected by the Engineering and Facilities Maintenance Divisions and found to be complete in accordance with the provisions and terms set forth in the contract. Acceptance of maintenance and final payment in the amount of \$136,573.09 is recommended.

The MBE participation in the performance of the contract is \$81,580.00. The MBE participation represents 3.15% of the final contract value.

FUNDING SOURCE

Community Development Block Grant Round 2.2 Non-Housing Grant with the balance of funds from Capital Program.

RECOMMENDATION

Approval of resolution.

RESOLUTION NO.13-240

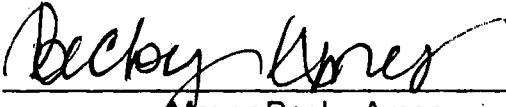
BE IT RESOLVED BY THE CITY COUNCIL OF THE
CITY OF BEAUMONT:

THAT the City Council hereby approves the award of a contract to McInnis Construction, Inc., of Silsbee, Texas, in the amount of \$2,724,920 for the Fire Station No. 2 Construction Project; and,

BE IT FURTHER RESOLVED THAT the City Manager be and he is hereby authorized to execute a contract with McInnis Construction, Inc., of Silsbee, Texas, for the purposes described herein.

PASSED BY THE CITY COUNCIL of the City of Beaumont this the 22nd day of October, 2013.




-Mayor Becky Ames -



Document G701™ - 2001

OWNER'S COPY

Change Order

PROJECT (Name and address):

CITY OF BEAUMONT FIRE
STATION #2
4990 HELBIG STREET
BEAUMONT, TEXAS 77708

TO CONTRACTOR (Name and address):

MCINNIS CONSTRUCTION, INC.
675 SOUTH FOURTH STREET
BEAUMONT, TEXAS 77656

CHANGE ORDER NUMBER: 001

DATE: December 26, 2013

ARCHITECT'S PROJECT NUMBER: 1272

CONTRACT DATE: October 23, 2013

CONTRACT FOR: General Construction

OWNER: ☒

ARCHITECT: ☒

CONTRACTOR: ☒

FIELD: ☐

OTHER: ☐

THE CONTRACT IS CHANGED AS FOLLOWS:

(Include, where applicable, any undisputed amount attributable to previously executed Construction Change Directives)

Item #1. Remove eighteen (18) damaged trees	\$ 4,500.00
Item #2. Conduit for Electrical Service	\$ 2,650.00 2,365.00
Item #3. Conduit Extension for Service	\$ 2,650.00
Item #4. Four Trees Removed for Service	\$ 1,500.00
Item #5. Credit to Owner for Power Use	<\$ 2,700.00>

Amount of Contingency Allowance \$40,000.00

Net Amount to be deducted from Contingency Allowance \$ 8,315.00

Remaining Contingency Allowance \$31,685.00

The original Contract Sum was	\$ 2,724,920.00
The net change by previously authorized Change Orders	\$ 0.00
The Contract Sum prior to this Change Order was	\$ 2,724,920.00
The Contract Sum will be increased by this Change Order in the amount of	\$ 0.00
The new Contract Sum including this Change Order will be	\$ 2,724,920.00

The Contract Time will be increased by Zero (0) days.

The date of Substantial Completion as of the date of this Change Order therefore is

NOTE: This Change Order does not include changes in the Contract Sum, Contract Time or Guaranteed Maximum Price which have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive..

NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONTRACTOR AND OWNER.

Architectural Alliance Incorporated

ARCHITECT (Firm name)

350 Pine Street - Suite 720
Beaumont, TX 77701

ADDRESS

BY (Signature)

J. Rob Clark, AIA

(Typed name)

DATE

McInnis Construction, Inc.

CONTRACTOR (Firm name)

675 South 4th Street
Silsbee, TX 77656

ADDRESS

BY (Signature)

Ricky McInnis, Owner

(Typed name)

DATE

City of Beaumont

OWNER (Firm name)

P.O. Box 3827
Beaumont, TX 77704

ADDRESS

BY (Signature)

Kyle Hayes, City Manager

(Typed name)

DATE



AIA Document G701™ – 2001

OWNER'S COPY

Change Order

PROJECT (Name and address):	CHANGE ORDER NUMBER: 002	OWNER: <input checked="" type="checkbox"/>
CITY OF BEAUMONT NORTHEND FIRE STATION - #2 3580 E. LUCAS BEAUMONT, TEXAS 77701	DATE: January 17, 2014	ARCHITECT: <input checked="" type="checkbox"/>
TO CONTRACTOR (Name and address):	ARCHITECT'S PROJECT NUMBER: 1272	CONTRACTOR: <input checked="" type="checkbox"/>
MCINNIS CONSTRUCTION, INC. 675 SOUTH 4 TH STREET SILSBEE, TEXAS 77656	CONTRACT DATE: December 2, 2013	FIELD: <input type="checkbox"/>
	CONTRACT FOR: General Construction	OTHER: <input type="checkbox"/>

THE CONTRACT IS CHANGED AS FOLLOWS:

(Include, where applicable, any undisputed amount attributable to previously executed Construction Change Directives)

1. RAIN DELAYS: January 10, 11, 12, 13, 14

2. Take down and removal from site of ten (10) trees - \$1,000.00 (to be taken from contingency allowance.)

The original Contract Sum was	\$ 2,724,920.00
The net change by previously authorized Change Orders	\$ 0.00
The Contract Sum prior to this Change Order was	\$ 2,724,920.00
The Contract Sum will be increased by this Change Order in the amount of	\$ 0.00
The new Contract Sum including this Change Order will be	\$ 2,724,920.00

The Contract Time will be increased by Five (5) days.

The date of Substantial Completion as of the date of this Change Order therefore is October 6, 2014

NOTE: This Change Order does not include changes in the Contract Sum, Contract Time or Guaranteed Maximum Price which have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive.

NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONTRACTOR AND OWNER.

Architectural Alliance Incorporated

ARCHITECT (Firm name)

350 Pine Street - Suite 720
Beaumont, TX 77701

ADDRESS

BY (Signature)

J. Rob Clark

(Typed name)

DATE

McInnis Construction, Inc.

CONTRACTOR (Firm name)

675 South 4th Street
Silsbee, TX 77656

ADDRESS

BY (Signature)

Dusty McInnis

(Typed name)

DATE

City of Beaumont

OWNER (Firm name)

P.O. Box 3827
Beaumont, TX 77704

ADDRESS

BY (Signature)

Kyle Hayes

(Typed name)

DATE



AIA® Document G701™ – 2001

OWNER'S COPY

Change Order

PROJECT (Name and address):	CHANGE ORDER NUMBER: 003	OWNER: <input checked="" type="checkbox"/>
CITY OF BEAUMONT FIRE	DATE: March 6, 2014	ARCHITECT: <input checked="" type="checkbox"/>
STATION #2		CONTRACTOR: <input checked="" type="checkbox"/>
4990 HELBIG STREET		FIELD: <input type="checkbox"/>
BEAUMONT, TX 77707		OTHER: <input type="checkbox"/>
TO CONTRACTOR (Name and address):	ARCHITECT'S PROJECT NUMBER: 1272	
MCINNIS CONSTRUCTION INC.	CONTRACT DATE: December 2, 2013	
675 SOUTH FOURTH STREET	CONTRACT FOR: General Construction	
SILSBEE, TEXAS 77656		

THE CONTRACT IS CHANGED AS FOLLOWS:

(Include, where applicable, any undisputed amount attributable to previously executed Construction Change Directives)

1. Rain days as follows: January 23,26,27,28,29,30,31

February 2,3,4,5,6,8,9,10,11,12,13,14,23,25,26,27,28

March 1,2,3,4,5,6,

2. Change the hardware set for the main entry Door #1 such that hardware/door supplier will furnish the electronic latch system to comply with windstorm requirements (add thru continuous hinge, electric latch retraction and Von Duprin PS902-2RS power supply). City's access provider's hardware could not comply with windstorm requirements. Cost to be deducted from the Contingency Allowance with no change to the contract amount or extension of time.

\$ 909.00

3. Extend/Upsize Time Warner and AT&T Conduits:

Extend 2-3" AT&T conduits from the building to Helbig Road

Upsize 1-2" Time Warner Conduit to 3" within building

Extend 1-3" Time Warner Conduit from the building to Helbig Road

Install 1 Quaztie Pull Box in middle of run

Install 1 Quaztie Pull Box at Helbig Road

Approximately 570' of exterior conduit plus interior conduit

\$ 8,876.00

Total Cost - To be taken out of Contingency (to date.)

\$ 9,785.00

Contingency Amount \$40,000.00

Change Order #1 - 8,315.00

Change Order #2 - 1,000.00

Change Order #3 - 9,785.00

Remaining Contingency Amount \$20,900.00

The original Contract Sum was

\$ 2,724,920.00

The net change by previously authorized Change Orders

\$

The Contract Sum prior to this Change Order was

\$

The Contract Sum will be increased by this Change Order in the amount of

\$

The new Contract Sum including this Change Order will be

\$

2,724,920.00

0.00

2,724,920.00

The Contract Time will be increased by Thirty (30) days.

The date of Substantial Completion as of the date of this Change Order therefore is November 5, 2014.

NOTE: This Change Order does not include changes in the Contract Sum, Contract Time or Guaranteed Maximum Price which have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive..

NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONTRACTOR AND OWNER.

Architectural Alliance Incorporated

ARCHITECT (Firm name)

350 Pine Street - Suite 720
Beaumont, TX 77701

ADDRESS

BY (Signature)

J. Rob Clark

(Typed name)

DATE

3-12-2014

McInnis Construction Inc.

CONTRACTOR (Firm name)

675 South 4th Street
Silsbee, TX 77656

ADDRESS

BY (Signature)

Dusty McInnis

(Typed name)

DATE

For Ricky Matunis
by [Signature]

City of Beaumont

OWNER (Firm name)

P.O. Box 3827
Beaumont, TX 77704

ADDRESS

BY (Signature)

Kyle Hayes

(Typed name)

DATE

L L

3-14-14

AIA® Document G701™ - 2001

Change Order

PROJECT (Name and address): CITY OF BEAUMONT FIRE STATION #2 4990 HELBIG STREET BEAUMONT, TX 77707	CHANGE ORDER NUMBER: 004 DATE: April 17, 2014	OWNER: <input checked="" type="checkbox"/> ARCHITECT: <input checked="" type="checkbox"/> CONTRACTOR: <input checked="" type="checkbox"/> FIELD: <input type="checkbox"/> OTHER: <input type="checkbox"/>
TO CONTRACTOR (Name and address): MCINNIS CONSTRUCTION, INC. 675 SOUTH FOURTH STREET SILSBEE, TEXAS 77656	ARCHITECT'S PROJECT NUMBER: 1272 CONTRACT DATE: December 2, 2013 CONTRACT FOR: General Construction	

THE CONTRACT IS CHANGED AS FOLLOWS:

(Include, where applicable, any undisputed amount attributable to previously executed Construction Change Directives)

Rain, Wet and Cold days as follows:

March 7,8,9,10,11,15,16,17,23,24,26,27,28,29

April 1,4,8,13,14

COPY

The original Contract Sum was

The net change by previously authorized Change Orders

The Contract Sum prior to this Change Order was

The Contract Sum will be increased by this Change Order in the amount of

The new Contract Sum including this Change Order will be

\$	2,724,920.00
\$	0.00
\$	2,724,920.00
\$	0.00
\$	2,724,920.00

The Contract Time will be increased by Zero (0) days.

The date of Substantial Completion as of the date of this Change Order therefore is

NOTE: This Change Order does not include changes in the Contract Sum, Contract Time or Guaranteed Maximum Price which have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive..

NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONTRACTOR AND OWNER.

Architectural Alliance Incorporated
ARCHITECT (Firm name)

350 Pine Street - Suite 720
Beaumont, TX 77701

ADDRESS

BY (Signature)

J. Rob Clark, AIA
(Typed name)

DATE

McInnis Construction

CONTRACTOR (Firm name)

675 S.Fourth Street
Silsbee, TX 77656

ADDRESS

BY (Signature)

Dusty McInnis, Owner
(Typed name)

DATE

City of Beaumont

OWNER (Firm name)

P.O Box 3827
Beaumont, TX 77704

ADDRESS

BY (Signature)

Kyle Hays, City Manager
(Typed name)

DATE



AIA® Document G701™ – 2001

OWNER'S COPY

Change Order

PROJECT (Name and address):
CITY OF BEAUMONT FIRE
STATION #2
4990 HELBIG STREET
BEAUMONT, TX 77707

CHANGE ORDER NUMBER: 005
DATE: May 15, 2014

OWNER: ☒
ARCHITECT: ☒
CONTRACTOR: ☒
FIELD: ☐
OTHER: ☐

TO CONTRACTOR (Name and address):
MCINNIS CONSTRUCTION INC.
675 SOUTH FOURTH STREET
SILSBEE, TEXAS 77656

ARCHITECT'S PROJECT NUMBER: 1272
CONTRACT DATE: December 2, 2013
CONTRACT FOR: General Construction

THE CONTRACT IS CHANGED AS FOLLOWS:

(Include, where applicable, any undisputed amount attributable to previously executed Construction Change Directives)

Rain, Wet and Cold Days: 12 Days

April 17, 18, 25

May 1, 2, 8, 9, 10, 11, 12, 13, 14

The original Contract Sum was	\$	2,724,920.00
The net change by previously authorized Change Orders	\$	0.00
The Contract Sum prior to this Change Order was	\$	2,724,920.00
The Contract Sum will be increased by this Change Order in the amount of	\$	0.00
The new Contract Sum including this Change Order will be	\$	2,724,920.00

The Contract Time will be increased by twelve (12) days.

The date of Substantial Completion as of the date of this Change Order therefore is December 6, 2014

NOTE: This Change Order does not include changes in the Contract Sum, Contract Time or Guaranteed Maximum Price which have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive..

NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONTRACTOR AND OWNER.

Architectural Alliance Inc.
ARCHITECT (Firm name)

350 Pine Street - Suite 720
Beaumont, TX 77701
ADDRESS

BY (Signature)

J. Rob Clark
(Typed name)

DATE

5-16-2014

McInnis Construction Inc.
CONTRACTOR (Firm name)

675 South 4th Street
Silsbee, TX 77656
ADDRESS

BY (Signature)

Dusty McInnis
(Typed name)

DATE

5/19/14

City of Beaumont
OWNER (Firm name)

P.o. Box 3827
Beaumont, TX 77704
ADDRESS

BY (Signature)

Kyle Hayes
(Typed name)

DATE

6-2-14

AIA® Document G701™ – 2001

Change Order

PROJECT (Name and address):

CITY OF BEAUMONT FIRE
STATION #2
4990 HELBIG STREET
BEAUMONT, TX 77707

TO CONTRACTOR (Name and address):

MCINNIS CONSTRUCTION INC
675 SOUTH 4TH STREET
SILSBEE, TX 77656

CHANGE ORDER NUMBER: 006

DATE: May 16, 2014

ARCHITECT'S PROJECT NUMBER: 1272

CONTRACT DATE: December 2, 2013

CONTRACT FOR: General Construction

OWNER: ☒ARCHITECT: ☒CONTRACTOR: ☒FIELD: ☐OTHER: ☐

THE CONTRACT IS CHANGED AS FOLLOWS:

(Include, where applicable, any undisputed amount attributable to previously executed Construction Change Directives)

Additional Lighting:

2 IR BULLET 1080p MPCAM 3-9MM

1 RG59 CCA-BRD+18/2 STR BLK

1 MISCELLANEOUS MATERIALS AND LABOR

CHANGE ORDER TOTAL (TO BE TAKEN FROM CONTINGENCY) \$2,221.87

CONTINGENCY AMOUNT	\$ 40,000.00
CHANGE ORDER #1	-8,315.00
CHANGE ORDER #2	-1,000.00
CHANGE ORDER #3	-9,785.00
CHANGE ORDER #6	-2,221.87

REMAINING CONTINGENCY \$ 18,678.13

The original Contract Sum was	\$ 2,724,920.00
The net change by previously authorized Change Orders	\$ 0.00
The Contract Sum prior to this Change Order was	\$ 2,724,920.00
The Contract Sum will be increased by this Change Order in the amount of	\$ 0.00
The new Contract Sum including this Change Order will be	\$ 2,724,920.00

The Contract Time will be increased by Zero (0) days.

The date of Substantial Completion as of the date of this Change Order therefore is

NOTE: This Change Order does not include changes in the Contract Sum, Contract Time or Guaranteed Maximum Price which have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive..

NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONTRACTOR AND OWNER.

Architectural Alliance Inc,
ARCHITECT (Firm name)

350 Pine Street - Suite 720
Beaumont, TX 77701
ADDRESS

BY (Signature)

J. Rob Clark
(Typed name)

DATE

5-16-2014

McInnis Construction, Inc.
CONTRACTOR (Firm name)

675 South 4th Street
Silsbee, TX 77656
ADDRESS

BY (Signature)

Dusty McInnis
(Typed name)

DATE

5/15/14

City of Beaumont

OWNER (Firm name)

P.O. Box 3827
Beaumont, TX 77704
ADDRESS

BY (Signature)

Kyle Hayes
(Typed name)

DATE

6-2-14



AIA® Document G701™ – 2001

OWNER'S COPY

Change Order

PROJECT (Name and address):	CHANGE ORDER NUMBER: 007	OWNER: <input checked="" type="checkbox"/>
CITY OF BEAUMONT FIRE STATION #2	DATE: June 19, 2014	ARCHITECT: <input checked="" type="checkbox"/>
4990 HELBIG STREET		CONTRACTOR: <input checked="" type="checkbox"/>
BEAUMONT, TX 77707		FIELD: <input type="checkbox"/>
TO CONTRACTOR (Name and address):	ARCHITECT'S PROJECT NUMBER: 1272	OTHER: <input type="checkbox"/>
MCINNIS CONSTRUCTION INC.	CONTRACT DATE: December 2, 2013	
675 SOUTH 4 TH STREET	CONTRACT FOR: General Construction	
SILSBEE, TX 77656		

THE CONTRACT IS CHANGED AS FOLLOWS:

(Include, where applicable, any undisputed amount attributable to previously executed Construction Change Directives)

Rain, Wet & Cold days as follows: 18 days

May 15,16,25,26,27,28,29,30,31

June 1,2,3,4,9,10,11,12,13

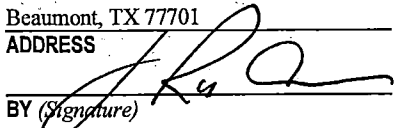
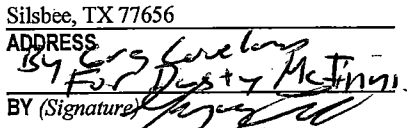
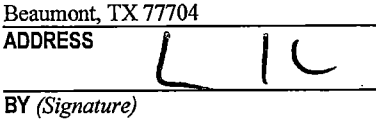
The original Contract Sum was	\$ 2,724,920.00
The net change by previously authorized Change Orders	\$ 0.00
The Contract Sum prior to this Change Order was	\$ 2,724,920.00
The Contract Sum will be increased by this Change Order in the amount of	\$ 0.00
The new Contract Sum including this Change Order will be	\$ 2,724,920.00

The Contract Time will be increased by eighteen (18) days.

The date of Substantial Completion as of the date of this Change Order therefore is December 24, 2014

NOTE: This Change Order does not include changes in the Contract Sum, Contract Time or Guaranteed Maximum Price which have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive..

NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONTRACTOR AND OWNER.

Architectural Alliance Incorporated	McInnis Construction Inc.	City of Beaumont
ARCHITECT (Firm name)	CONTRACTOR (Firm name)	OWNER (Firm name)
350 Pine Street - Suite 720	675 South 4 th Street	P.O. Box 3827
Beaumont, TX 77701	Silsbee, TX 77656	Beaumont, TX 77704
ADDRESS	ADDRESS	ADDRESS
		
BY (Signature)	BY (Signature)	BY (Signature)
J. Rob Clark	Dusty McInnis	Kyle Hayes
(Typed name)	(Typed name)	(Typed name)
6-20-2014		6-23-14
DATE	DATE	DATE



Document G701™ – 2001

Change Order

PROJECT (Name and address):	CHANGE ORDER NUMBER: 008	OWNER: <input checked="" type="checkbox"/>
CITY OF BEAUMONT FIRE STATION #2	DATE: June 26, 2014	ARCHITECT: <input checked="" type="checkbox"/>
4990 HELBIG STREET		CONTRACTOR: <input checked="" type="checkbox"/>
BEAUMONT, TX 77707		FIELD: <input type="checkbox"/>
TO CONTRACTOR (Name and address):	ARCHITECT'S PROJECT NUMBER: 1272	OTHER: <input type="checkbox"/>
MCINNIS CONSTRUCTION INC.	CONTRACT DATE: December 2, 2013	
675 SOUTH 4 TH STREET	CONTRACT FOR: General Construction	
SILSBEE, TEXAS 77656		

THE CONTRACT IS CHANGED AS FOLLOWS:

(Include, where applicable, any undisputed amount attributable to previously executed Construction Change Directives)
Regarding Sanitary Sewer Tie-in and installation of proposal fiberglass manhole south bound lane of Helbig Road. Showing a credit of \$100.00 to Contract Amount.

There will be a three week delay (increasing Contract time by 21 days.)

The original Contract Sum was	\$	2,724,920.00
The net change by previously authorized Change Orders	\$	0.00
The Contract Sum prior to this Change Order was	\$	2,724,920.00
The Contract Sum will be decreased by this Change Order in the amount of	\$	100.00
The new Contract Sum including this Change Order will be	\$	2,724,820.00

The Contract Time will be increased by twenty-one (21) days.

The date of Substantial Completion as of the date of this Change Order therefore is January 21, 2015

NOTE: This Change Order does not include changes in the Contract Sum, Contract Time or Guaranteed Maximum Price which have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive..

NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONTRACTOR AND OWNER.

Architectural Alliance Inc.	McInnis Construction Inc.	City of Beaumont
ARCHITECT (Firm name)	CONTRACTOR (Firm name)	OWNER (Firm name)
350 Pine Street, Suite 720	675 South 4 th Street	P.O. Box 3827
Beaumont, TX 77701	Silsbee, TX 77656	Beaumont, TX 77704
ADDRESS	ADDRESS	ADDRESS
BY (Signature)	BY (Signature)	BY (Signature)
J. Rob Clark	Dusty McInnis	Kyle Hayes
(Typed name)	(Typed name)	(Typed name)
6-26-2014	6/26/2014	7-21-14
DATE	DATE	DATE



AIA Document G701™ – 2001

OWNER'S COPY

Change Order

PROJECT (Name and address):	CHANGE ORDER NUMBER: 009	OWNER: <input checked="" type="checkbox"/>
CITY OF BEAUMONT FIRE STATION #2	DATE: November 12, 2014	ARCHITECT: <input checked="" type="checkbox"/>
4990 HELBIG STREET		CONTRACTOR: <input checked="" type="checkbox"/>
BEAUMONT, TX 77707		FIELD: <input type="checkbox"/>
TO CONTRACTOR (Name and address):	ARCHITECT'S PROJECT NUMBER: 1272	OTHER: <input type="checkbox"/>
MCINNIS CONSTRUCTION INC.	CONTRACT DATE: Dec. 2, 2013	
675 SOUTH 4 TH STREET	CONTRACT FOR: General Construction	
SILSBEE, TX 77656		

THE CONTRACT IS CHANGED AS FOLLOWS:

(Include, where applicable, any undisputed amount attributable to previously executed Construction Change Directives)

Rain, Wet & Cold days as follows:

September 18, 19, 28

October 2, 3, 6, 13

Total Rain Days - 7

- | | |
|--|-------------|
| 1. Extend epoxy floor finish into Rooms 126 and 127 | \$ 3,531.00 |
| 2. Install conduit and wiring for a 40 amp 2-pole branch circuit
(Manufacturer change on Bunker Gear Dryer) | \$ 1,620.00 |
| 3. Camera stub out on porch on east side for customer added camera. | \$ 144.00 |
| 4. Additional junction box for 3" conduit from Library (as requested by Cit of Bmt. | \$ 167.00 |

Total Change Order amount (to be taken from Contingency)	\$ 5,462.00
--	-------------

Contingency Amount	\$18,678.13
Less Change Order Amount	- 5,462.00
Remaining Contingency Amount	\$13,216.13

The original Contract Sum was

The net change by previously authorized Change Orders

The Contract Sum prior to this Change Order was

The Contract Sum will be increased by this Change Order in the amount of

The new Contract Sum including this Change Order will be

	\$ 2,724,920.00
	- 0.00
	2,724,920.00
	0.00
	2,724,920.00

Handwritten: \$ 2,724,820.00

The Contract Time will be increased by seven (7) days.

The date of Substantial Completion as of the date of this Change Order therefore is January 28, 2015

NOTE: This Change Order does not include changes in the Contract Sum, Contract Time or Guaranteed Maximum Price which have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive..

NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONTRACTOR AND OWNER.

Architectural Alliance Inc.

ARCHITECT (Firm name)

350 Pine Street - Suite 720

Beaumont, TX 77701

ADDRESS

BY (Signature)

J. Rob Clark

(Typed name)

DATE

11-13-2014

McInnis Construction, Inc.

CONTRACTOR (Firm name)

675 South 4th Street

Silsbee, TX 77656

ADDRESS

BY (Signature)

Dusty McInnis

(Typed name)

DATE

11-13-14

City of Beaumont

OWNER (Firm name)

P.O. Box 3827

Beaumont, TX 77704

ADDRESS

BY (Signature)

Kyle Hayes

(Typed name)

DATE

1-7-15



AIA Document G701™ – 2001

OWNER'S COPY

Change Order

PROJECT (Name and address):	CHANGE ORDER NUMBER: 010	OWNER: <input checked="" type="checkbox"/>
CITY OF BEAUMONT	DATE: December 9, 2014	ARCHITECT: <input checked="" type="checkbox"/>
FIRE STATION #2		CONTRACTOR: <input checked="" type="checkbox"/>
4990 HELBIG STREET		FIELD: <input type="checkbox"/>
BEAUMONT, TX 77707		OTHER: <input type="checkbox"/>
TO CONTRACTOR (Name and address):	ARCHITECT'S PROJECT NUMBER: 1272	
MCINNIS CONSTRUCTION, INC.	CONTRACT DATE: December 2, 2013	
675 SOUTH 4 TH STREET	CONTRACT FOR: General Construction	
SILSBEE, TX 77656		

THE CONTRACT IS CHANGED AS FOLLOWS:

(Include, where applicable, any undisputed amount attributable to previously executed Construction Change Directives)

Rain, Wet and Cold Days as follows:

August 20, 25, 29, 30 and 31

September 1, 5, 6, 7, 12, 16 and 17

Total days = 12

The original Contract Sum was
 The net change by previously authorized Change Orders
 The Contract Sum prior to this Change Order was
 The Contract Sum will be increased by this Change Order in the amount of
 The new Contract Sum including this Change Order will be

	\$	2,724,920.00
	\$	0.00
\$ 2,724,820.00	\$	2,724,920.00
\$ 2,724,820.00	\$	0.00
	\$	2,724,920.00

The Contract Time will be increased by twelve (12) days.

The date of Substantial Completion as of the date of this Change Order therefore is February 9, 2015

NOTE: This Change Order does not include changes in the Contract Sum, Contract Time or Guaranteed Maximum Price which have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive..

NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONTRACTOR AND OWNER.

Architectural Alliance Incorporated
ARCHITECT (Firm name)

350 Pine Street - Suite 720
 Beaumont, TX 77701

ADDRESS

BY (Signature)

J. Rob Clark

(Typed name)

DATE

McInnis Construction, Inc.
CONTRACTOR (Firm name)

675 South 4th Street
 Silsbee, TX 77656

ADDRESS

BY (Signature)

Dusty McInnis

(Typed name)

DATE

City of Beaumont

OWNER (Firm name)

P.O Box 3827
 Beaumont, TX 77704

ADDRESS

BY (Signature)

Kyle Hayes

(Typed name)

DATE



Document G701™ – 2001

OWNER'S COPY

Change Order

PROJECT (Name and address):	CHANGE ORDER NUMBER: 011	OWNER: <input checked="" type="checkbox"/>
CITY OF BEAUMONT FIRE	DATE: February 24, 2015	ARCHITECT: <input checked="" type="checkbox"/>
STATION #2		CONTRACTOR: <input checked="" type="checkbox"/>
4990 HELBIG STREET		FIELD: <input type="checkbox"/>
BEAUMONT, TX 77707		OTHER: <input type="checkbox"/>
TO CONTRACTOR (Name and address):	ARCHITECT'S PROJECT NUMBER: 1272	
MCINNIS CONSTRUCTION INC	CONTRACT DATE: Dec. 2, 2013	
675 SOUTH FOURTH STREET	CONTRACT FOR: General Construction	
SILSBEE, TEXAS 77656		

THE CONTRACT IS CHANGED AS FOLLOWS:

(Include, where applicable, any undisputed amount attributable to previously executed Construction Change Directives)

Rain, Wet & Cold Days as follows:

November 5,11,12,13,15,16,17,18, 20,22,23,24,25,26,	(14 days)
December 1,12,15,18,19,20,21,22,23,24,25,26,27,28,29,30	(16 days)
January 1,2,3,4,5,6,7,9,10,11,12,13,14,15,16,17	(16 days)
Total Days	46 days

C.R.#1 Re-work sleeping to fit 82" mattress: Extend Mattress Deck to 82" long.
 Replace head board,
 Add .75" hardwood to closure panel exposed ply edge.
 Fill in Mattress Decking
 Add .75" thick edge band to desk top. Cost \$1,600.00

C.R. #2 - Install six (6) 25 gallon Crepe Myrtles, four (4) 25 gallon Elm Trees,
 fifty (50) Bi-color Iris, twenty (20) Dwarf Buford Hollies, twelve (12)
 Knockout Roses, twelve (12) Horsetails, six (6) yards bed material,
 six (6) yards mulch, two (2) pallets sod. Cost \$ 4,000.00

C.R. #3 Install four (4) new surface mounted fixtures in the bathrooms.
 Install two (2) new lay-ins in the chief's office (Existing circuitry will be utilized).
 (Note: Lights to be supplied by others.) Cost \$1,430.00

C.R. #4 Install new QOB220 breaker and install two (2) additional conductors in the conduit
 with the existing wire to power the 2000 Watt 2208V block heater.
 Cost \$ 590.00

Total Change Order Cost (to be taken from Contingency) \$7,620.00

Current Contingency Amount \$13,216.13
 Less Change Order Amount - 7,620.00

Remaining Contingency Amount \$ 5,596.13

The original Contract Sum was	\$ 2,724,920.00
The net change by previously authorized Change Orders	\$ -100.00
The Contract Sum prior to this Change Order was	\$ 2,724,820.00
The Contract Sum will be increased by this Change Order in the amount of	\$ 0.00
The new Contract Sum including this Change Order will be	\$ 2,724,820.00

The Contract Time will be increased by Zero (46) days.

The date of Substantial Completion as of the date of this Change Order therefore is April 19, 2015

NOTE: This Change Order does not include changes in the Contract Sum, Contract Time or Guaranteed Maximum Price which have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and

Contractor, in which case a Change Order is executed to supersede the Construction Change Directive..

NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONTRACTOR AND OWNER.

Architectural Alliance Incorporated
ARCHITECT (Firm name)

350 Pine Street - Suite 720
Beaumont, TX 77701

ADDRESS

BY (Signature)

J. Rob Clark, AIA
(Typed name)

DATE

McInnis Construction Incorporated
CONTRACTOR (Firm name)

675 South Fourth Street
Silsbee, TX 77656

ADDRESS

BY (Signature)

Ricky McInnis
(Typed name)

DATE

City of Beaumont

OWNER (Firm name)

P.O. Box 3827
Beaumont, TX 77704

ADDRESS

BY (Signature)

Kyle Hayes
(Typed name)

DATE

**AIA****Document G701™ – 2001****OWNER'S COPY****Change Order****PROJECT (Name and address):**CITY OF BEAUMONT FIRE
STATION #2
4990 HELBIG STREET
BEAUMONT, TX 77707**CHANGE ORDER NUMBER:** 012**DATE:** March 3, 2015**OWNER:** ☒**ARCHITECT:** ☒**CONTRACTOR:** ☒**FIELD:** ☐**OTHER:** ☐**TO CONTRACTOR (Name and address):**MCINNIS CONSTRUCTION INC.
675 SOUTH FOURTH STREET
SILSBEE, TX 77656**ARCHITECT'S PROJECT NUMBER:** 1272**CONTRACT DATE:** December 2, 2013**CONTRACT FOR:** General Construction**THE CONTRACT IS CHANGED AS FOLLOWS:***(Include, where applicable, any undisputed amount attributable to previously executed Construction Change Directives)*

C.R.#1 Install K Fire Extinguisher recommended by Fire Marshall	\$ 176.50
C.R.#2 Setting and final connecting (1) extractor unit	\$1,100.00
C.R.#3 Construction of base for flag pole	\$1,400.00
C.R.#4 Flag Pole Installation and grounding for Firestation #2	\$ 350.00
C.R.#5 Cut in and install a duplex receptacle and cable box for wall-mounted TV in Chief's office.	\$ 531.00

Current Contingency Fund Amount \$5,596.13

Total Change Order Amount (to be taken out of Contingency Fund) \$3,557.50

Remaining Contingency Amount \$2,038.63

The original Contract Sum was

\$ 2,724,920.00

The net change by previously authorized Change Orders

\$ -100.00

The Contract Sum prior to this Change Order was

\$ 2,724,820.00

The Contract Sum will be decreased by this Change Order in the amount of

\$ 0.00

The new Contract Sum including this Change Order will be

\$ 2,724,820.00

The Contract Time will be increased by Zero (0) days.

The date of Substantial Completion as of the date of this Change Order therefore is

NOTE: This Change Order does not include changes in the Contract Sum, Contract Time or Guaranteed Maximum Price which have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive..

NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONTRACTOR AND OWNER.**Architectural Alliance Incorporated****ARCHITECT (Firm name)**350 Pine Street - Suite 720
Beaumont, TX 77701**ADDRESS****BY (Signature)**

J. Rob Clark, AIA

(Typed name)**DATE**

3-3-2015

McInnis Construction, Incorporated**CONTRACTOR (Firm name)**675 South Fourth Street
Silsbee, TX 77656**ADDRESS****BY (Signature)**

Dusty McInnis

(Typed name)**DATE****City of Beaumont****OWNER (Firm name)**P.O. Box 3827
Beaumont, TX 77704**ADDRESS****BY (Signature)**

Kyle Hayes

(Typed name)**DATE**

3-5-15



Document G701™ - 2001

OWNER'S COPY

Change Order

PROJECT (Name and address):

CITY OF BEAUMONT FIRE
STATION #2

4990 HELBIG STREET
BEAUMONT, TX 77707

TO CONTRACTOR (Name and address):

MCINNIS CONSTRUCTION INC.
675 SOUTH 4TH STREET
SILSBEE, TEXAS 77656

CHANGE ORDER NUMBER: 013

DATE: April 7, 2015

ARCHITECT'S PROJECT NUMBER: 1272

CONTRACT DATE: December 02, 2013

CONTRACT FOR: General Construction

OWNER: ☒

ARCHITECT: ☒

CONTRACTOR: ☒

FIELD: ☐

OTHER: ☐

THE CONTRACT IS CHANGED AS FOLLOWS:

(Include, where applicable, any undisputed amount attributable to previously executed Construction Change Directives)

Rain, Wet and Cold Days as follows:

February 16,17,21,23,24,25

March 1,2,3,4,5,6,7,8,9,10,11,12,13,14,18,21,22,23,24

Change 300' of fence along north property line to high security vinyl extruded steel fence system:

Cost	\$9,895.00
Less balance in Contingency	-\$2,038.63

Amount over Contingency	\$7,856.37
Add 10% Contractor Fee	785.64

Total Increase to Contract	\$8,642.01
----------------------------	------------

The original Contract Sum was	\$	2,724,920.00
The net change by previously authorized Change Orders	\$	-100.00
The Contract Sum prior to this Change Order was	\$	2,724,820.00
The Contract Sum will be increased by this Change Order in the amount of	\$	8,642.01
The new Contract Sum including this Change Order will be	\$	2,733,462.01

The Contract Time will be increased by twenty-five (25) days.

The date of Substantial Completion as of the date of this Change Order therefore is May 14, 2015

NOTE: This Change Order does not include changes in the Contract Sum, Contract Time or Guaranteed Maximum Price which have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive..

NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONTRACTOR AND OWNER.

Architectural Alliance Inc.

ARCHITECT (Firm name)

350 Pine Street - Suite 720
Beaumont, TX 77701

ADDRESS

BY (Signature)

J. Rob Clark
(Typed name)

DATE

4-8-2015

McInnis Construction Inc.

CONTRACTOR (Firm name)

675 South Fourth Street
Silsbee, TX 77656

ADDRESS

BY (Signature)

Dusty McInnis
(Typed name)

DATE

City of Beaumont

OWNER (Firm name)

P.O. Box 3827
Beaumont, TX 77704

ADDRESS

BY (Signature)

Kyle Hayes
(Typed name)

DATE

L 12

5-20-15

AIA® Document G702™ – 1992

Application and Certificate for Payment

TO OWNER:	City of Beaumont P.O. Box 3827 Beaumont, Texas 77704	PROJECT:	CITY OF BEAUMONT FIRE STATION NO. 2 3580 E. LUCAS BEAUMONT, TEXAS 77701	APPLICATION NO: 018	Distribution to:
FROM	McInnis Construction, Inc.	VIA	Architectural Alliance, Inc.	PERIOD TO: May 27, 2015	OWNER: X
CONTRACTOR:	675 South 4th Street Silsbee, Texas 77656	ARCHITECT:	350 Pine Street, Suite 720 Beaumont, Texas 77701	CONTRACT FOR: General Construction	ARCHITECT: X
				CONTRACT DATE: December 02, 2013	CONTRACTOR: X
				PROJECT NOS: / 1340 /	FIELD:
					OTHER:

CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for payment, as shown below, in connection with the Contract. Continuation Sheet, AIA Document G703, is attached.

1. ORIGINAL CONTRACT SUM	\$	2,724,920.00
2. NET CHANGE BY CHANGE ORDERS	\$	8,542.01
3. CONTRACT SUM TO DATE (Line 1 ± 2)	\$	2,733,462.01
4. TOTAL COMPLETED & STORED TO DATE (Column G on G703)	\$	2,733,462.01
5. RETAINAGE:		
a. 0 % of Completed Work (Column D + E on G703)	\$	0.00
b. 0 % of Stored Material (Column F on G703)	\$	0.00
Total Retainage (Lines 5a + 5b or Total in Column I of G703)	\$	0.00
6. TOTAL EARNED LESS RETAINAGE	\$	2,733,462.01
(Line 4 Less Line 5 Total)		
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT	\$	2,596,888.92
(Line 6 from prior Certificate)		
8. CURRENT PAYMENT DUE	\$	136,573.09
9. BALANCE TO FINISH, INCLUDING RETAINAGE (Line 3 less Line 6)	\$	0.00

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner	\$ 8,642.01	\$ 100.00
Total approved this Month	\$ 0.00	\$ 0.00
TOTALS	\$ 8,642.01	\$ 100.00
NET CHANGES by Change Order	\$	8,542.01

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

CONTRACTOR:

By: 

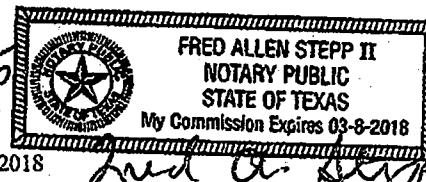
State of: Texas

County of: Jefferson

Subscribed and sworn to before me this 27th day of May 2015

Notary Public: Fred A. Stepp, II

My Commission expires: March 08, 2018



Date: May 27, 2015

ARCHITECT'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising this application, the Architect certifies to the Owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED \$ 136,573.09

(Attach explanation if amount certified differs from the amount applied. Initial all figures on this Application and on the Continuation Sheet that are changed to conform with the amount certified.)

ARCHITECT:

By: 

Date: 6-17-2015

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.



AIA[®] Document G703[™] – 1992

Continuation Sheet

AIA Document, G702[™]–1992, Application and Certification for Payment, or G736[™]–2009, Project Application and Project Certificate for Payment, Construction Manager as Adviser Edition, containing Contractor's signed certification is attached.

In tabulations below, amounts are in US dollars.

Use Column I on Contracts where variable retainage for line items may apply.

APPLICATION NO: 018 - FINAL

APPLICATION DATE: 05/27/2015

PERIOD TO: 05/27/2015

ARCHITECT'S PROJECT NO:

A	B	C	D	E	F	G		H	I
ITEM NO.	DESCRIPTION OF WORK	SCHEDULED VALUE	WORK COMPLETED		MATERIALS PRESENTLY STORED (NOT IN D OR E)	TOTAL COMPLETED AND STORED TO DATE (D+E+F)	% (G ÷ C)	BALANCE TO FINISH (C - G)	RETAINAGE (IF VARIABLE RATE)
			FROM PREVIOUS APPLICATION (D + E)	THIS PERIOD					
1	PERMITS AND MOBILIZATION	57,200.00	54,340.00	2,860.00	0.00	57,200.00	100.00 %	0.00	0.00
2	BUILDING PAD	19,613.60	18,632.92	980.68	0.00	19,613.60	100.00 %	0.00	0.00
3	FORM MATERIAL	13,600.00	12,920.00	680.00	0.00	13,600.00	100.00 %	0.00	0.00
4	CONCRETE SLAB	60,396.00	57,376.20	3,019.80	0.00	60,396.00	100.00 %	0.00	0.00
5	MASONRY	292,591.38	277,961.81	14,629.57	0.00	292,591.38	100.00 %	0.00	0.00
7	STORAGE BUILDING	8,520.00	8,094.00	426.00	0.00	8,520.00	100.00 %	0.00	0.00
9	DOORS AND FRAMES	216,463.00	205,639.85	10,823.15	0.00	216,463.00	100.00 %	0.00	0.00
11	FINISH HARDWARE	20,824.00	19,782.80	1,041.20	0.00	20,824.00	100.00 %	0.00	0.00
12	METAL STUD FRAMING	2,990.60	2,841.07	149.53	0.00	2,990.60	100.00 %	0.00	0.00
13	ROOFING	72,831.00	69,189.45	3,641.55	0.00	72,831.00	100.00 %	0.00	0.00
14	STRUCTURAL STEEL	207,245.00	196,882.75	10,362.25	0.00	207,245.00	100.00 %	0.00	0.00
16	BUILDING INSULATION	31,200.00	29,640.00	1,560.00	0.00	31,200.00	100.00 %	0.00	0.00
17	GLASS AND GLAZING	35,198.00	33,438.10	1,759.90	0.00	35,198.00	100.00 %	0.00	0.00
18	ACOUSTICAL TILE	6,776.00	6,437.20	338.80	0.00	6,776.00	100.00 %	0.00	0.00
19	SUSPENDED VINYL ROCK	8,614.00	8,183.30	430.70	0.00	8,614.00	100.00 %	0.00	0.00
20	DRYWALL	3,840.00	3,648.00	192.00	0.00	3,840.00	100.00 %	0.00	0.00

AIA Document G703[™] – 1992. Copyright © 1983, 1985, 1986, 1987, 1990, 1992 by The American Institute of Architects. All rights reserved. WARNING: This AIA[®] Document is protected by U.S. Copyright Law and International Treaties. Unauthorized reproduction or distribution of this AIA[®] Document, or any portion of it, may result in severe civil and criminal penalties, and will be prosecuted to the maximum extent possible under the law. This document was produced by AIA software at 14:52:58 on 05/27/2015 under Order No.7262216882_1 which expires on 06/16/2015, and is not for resale.

User Notes:

(1465545794)

A	B	C	D	E	F	G		H	I
ITEM NO.	DESCRIPTION OF WORK	SCHEDULED VALUE	WORK COMPLETED		MATERIALS PRESENTLY STORED (NOT IN D OR E)	TOTAL COMPLETED AND STORED TO DATE (D+E+F)	%(G ÷ C)	BALANCE TO FINISH (C - G)	RETAINAGE (IF VARIABLE RATE)
			FROM PREVIOUS APPLICATION (D + E)	THIS PERIOD					
21	PAINTING AND WALL COVER	22,684.00	21,549.80	1,134.20	0.00	22,684.00	100.00 %	0.00	0.00
22	TILE/MARBLE	75,775.00	71,986.25	3,788.75	0.00	75,775.00	100.00 %	0.00	0.00
23	CARPET/VCT BASE	4,312.00	4,096.40	215.60	0.00	4,312.00	100.00 %	0.00	0.00
24	MISC EQUIPMENT	36,884.00	35,039.80	1,844.20	0.00	36,884.00	100.00 %	0.00	0.00
25	MISC SPECIALITIES	18,236.02	17,324.22	911.80	0.00	18,236.02	100.00 %	0.00	0.00
26	CABINETS	38,472.00	36,548.40	1,923.60	0.00	38,472.00	100.00 %	0.00	0.00
27	HVAC	183,785.00	174,595.75	9,189.25	0.00	183,785.00	100.00 %	0.00	0.00
28	PLUMBING	121,131.00	115,074.45	6,056.55	0.00	121,131.00	100.00 %	0.00	0.00
29	ELECTRICAL	305,000.00	289,750.00	15,250.00	0.00	305,000.00	100.00 %	0.00	0.00
30	TECHNOLOGY	38,486.00	36,561.70	1,924.30	0.00	38,486.00	100.00 %	0.00	0.00
34	FIRE PROTECTION	44,690.00	42,455.50	2,234.50	0.00	44,690.00	100.00 %	0.00	0.00
38	BUILDING OVERHEAD AND PROFIT	111,788.61	106,199.18	5,589.43	0.00	111,788.61	100.00 %	0.00	0.00
41	EROSION CONTROL	3,750.00	3,562.50	187.50	0.00	3,750.00	100.00 %	0.00	0.00
42	DEMOLITION	531.05	504.50	26.55	0.00	531.05	100.00 %	0.00	0.00
43	LAND CLEARING	7,425.00	7,053.75	371.25	0.00	7,425.00	100.00 %	0.00	0.00
44	EXCAVATING AND BACKFILLING	32,771.00	31,132.45	1,638.55	0.00	32,771.00	100.00 %	0.00	0.00
45	GRADING	4,000.00	3,800.00	200.00	0.00	4,000.00	100.00 %	0.00	0.00
46	STORM SEWER	45,650.00	43,367.50	2,282.50	0.00	45,650.00	100.00 %	0.00	0.00
48	SANITARY SEWER	23,655.00	22,472.25	1,182.75	0.00	23,655.00	100.00 %	0.00	0.00
51	WATER SERVICE	26,050.00	24,747.50	1,302.50	0.00	26,050.00	100.00 %	0.00	0.00
52	WATER TAP FEE	3,000.00	2,850.00	150.00	0.00	3,000.00	100.00 %	0.00	0.00
53	IRRIGATION	865.00	821.75	43.25	0.00	865.00	100.00 %	0.00	0.00

A	B	C	D	E	F	G		H	I
ITEM NO.	DESCRIPTION OF WORK	SCHEDULED VALUE	WORK COMPLETED		MATERIALS PRESENTLY STORED (NOT IN D OR E)	TOTAL COMPLETED AND STORED TO DATE (D+E+F)	% (G ÷ C)	BALANCE TO FINISH (C - G)	RETAINAGE (IF VARIABLE RATE)
			FROM PREVIOUS APPLICATION (D + E)	THIS PERIOD					
	SYSTEM								
54	GAS SERVICE	11,500.00	10,925.00	575.00	0.00	11,500.00	100.00 %	0.00	0.00
59	LOT LIGHTS	835.00	793.25	41.75	0.00	835.00	100.00 %	0.00	0.00
61	PAVING CONCRETE	97,886.16	92,991.85	4,894.31	0.00	97,886.16	100.00 %	0.00	0.00
62	CONCRETE CURB	2,446.30	2,323.98	122.32	0.00	2,446.30	100.00 %	0.00	0.00
65	WALKS AND RAMPS	14,863.00	14,119.85	743.15	0.00	14,863.00	100.00 %	0.00	0.00
69	FENCE	55,000.00	52,250.00	2,750.00	0.00	55,000.00	100.00 %	0.00	0.00
72	GUARD POST/BOLLARDS	8,100.00	7,695.00	405.00	0.00	8,100.00	100.00 %	0.00	0.00
73	STRIPPING AND SIGNAGE	2,200.00	2,090.00	110.00	0.00	2,200.00	100.00 %	0.00	0.00
74	LANDSCAPE	6,250.00	5,937.50	312.50	0.00	6,250.00	100.00 %	0.00	0.00
75	ALLOWANCES	40,000.00	38,000.00	2,000.00	0.00	40,000.00	100.00 %	0.00	0.00
77	SITE OVERHEAD AND PROFIT	20,390.34	19,370.82	1,019.52	0.00	20,390.34	100.00 %	0.00	0.00
79	SUPERVISION	59,810.00	56,819.50	2,990.50	0.00	59,810.00	100.00 %	0.00	0.00
80	GENERAL CONDITIONS	22,356.25	21,238.44	1,117.81	0.00	22,356.25	100.00 %	0.00	0.00
98	BUILDERS RISK AND BONDS	42,519.69	40,393.71	2,125.98	0.00	42,519.69	100.00 %	0.00	0.00
102	ALTERNATE 1	93,620.00	88,939.00	4,681.00	0.00	93,620.00	100.00 %	0.00	0.00
103	ALTERNATE 2	30,000.00	28,500.00	1,500.00	0.00	30,000.00	100.00 %	0.00	0.00
104	ALTERNATE 3	10,300.00	9,785.00	515.00	0.00	10,300.00	100.00 %	0.00	0.00
	REGARDS TO SANITARY SEWER TIE-IN AND INSTALLATION OF PROPOSAL								
C/O#1	FIBERGLASS	-100.00	-100.00	0.00		-100.00	100.00 %	0.00	0.00

A	B	C	D	E	F	G		H	I
ITEM NO.	DESCRIPTION OF WORK	SCHEDULED VALUE	WORK COMPLETED		MATERIALS PRESENTLY STORED (NOT IN D OR E)	TOTAL COMPLETED AND STORED TO DATE (D+E+F)	%(G ÷ C)	BALANCE TO FINISH (C - G)	RETAINAGE (IF VARIABLE RATE)
			FROM PREVIOUS APPLICATION (D + E)	THIS PERIOD					
	MANHOLE IN THE SOUTHBOUND LANE OF HELBIG ROAD								
C/O#2	CHANGE 300' OF FENCE ALONG NORTH PROPERTY LINE TO HIGH SECURITY VINYL EXTRUDED STEEL FENCE SYSTEM	8,642.01	8,209.91	432.10	0.00	8,642.01	100.00 %	0.00	0.00
	GRAND TOTAL	\$2,733,462.01	\$2,596,783.91	\$136,678.10	\$0.00	\$2,733,462.01	100.00 %	\$0.00	\$0.00

RESOLUTION NO.

WHEREAS, on October 22, 2013, the City Council of the City of Beaumont, Texas passed Resolution No. 13-240 awarding a contract in the amount of \$2,724,920 to McInnis Construction, Inc., of Silsbee, Texas, for the Fire Station No. 2 Construction Project; and,

WHEREAS, a contingency allowance in the amount of \$40,000 was included in the above noted contract; and,

WHEREAS, Change Order No. 1, in the amount of \$8,315, was required for the removal of additional trees and revisions to the electrical routing plan, thereby decreasing the contingency allowance to \$31,685 and having no affect on the total contract amount of \$2,724,920; and,

WHEREAS, Change Order No. 2, in the amount of \$1,000, was required to allow for the removal of additional trees, thereby decreasing the contingency allowance to \$30,685 and having no affect on the total contract amount of \$2,724,920; and,

WHEREAS, Change Order No. 3, in the amount of \$9,785, was required to allow for rain, wet and cold days; to meet windstorm requirements; and, to extend/upsized utility conduits, thereby decreasing the contingency allowance to \$20,900 and having no affect on the total contract amount of \$2,724,920; and,

WHEREAS, Change Order No. 4, in the amount of \$0.00, was required to allow for rain, wet and cold days, thereby having no affect on the contingency balance of \$20,900 and having no affect on the total contract amount of \$2,724,920; and,

WHEREAS, Change Order No. 5, in the amount of \$0.00, was required to allow

for rain, wet and cold days, thereby having no affect on the contingency balance of \$20,900 and having no affect on the total contract amount of \$2,724,920; and,

WHEREAS, Change Order No. 6, in the amount of \$2,221.87, was required for miscellaneous materials and labor, thereby decreasing the contingency allowance to \$18,678.13 and having no affect on the total contract amount of \$2,724,920; and,

WHEREAS, Change Order No. 7, in the amount of \$0.00, was required to allow for rain, wet and cold days, thereby having no affect on the contingency balance of \$18,678.13 and having no affect on the total contract amount of \$2,724,920; and,

WHEREAS, Change Order No. 8, in the credit amount of \$100, was required for a sanitary sewer tie-in and installation of a proposed fiberglass manhole in the southbound lane of Helbig Road, thereby decreasing the contract amount to \$2,724,820 and having no affect on the contingency balance of \$18,678.13; and,

WHEREAS, Change Order No. 9, in the amount of \$5,462, was required for rain, wet and cold days; to extend the epoxy floor finish into two rooms; to install conduit and wiring; camera installation; and, for an additional junction box, thereby decreasing the contingency allowance to \$13,216.13 and having no affect on the total contract amount of \$2,724,820; and,

WHEREAS, Change Order No. 10, in the amount of \$0.00, was required to allow for rain, wet and cold days, thereby having no affect on the contingency balance of \$13,216.13 and having no affect on the total contract amount of \$2,724,820; and,

WHEREAS, Change Order No. 11, in the amount of \$7,620, was required to allow for bedding adjustments; landscaping; and, installation of electrical fixtures,

breakers, and conductors, thereby decreasing the contingency allowance to \$5,596.13 and having no affect on the total contract amount of \$2,724,820; and,

WHEREAS, Change Order No. 12, in the amount of \$3,557.50, was required to install a Class K fire extinguisher to meet Fire Marshall requirements; additional plumbing work; preparation for flag pole installation; and, television installation, thereby decreasing the contingency allowance to \$2,038.63 and having no affect on the total contract amount of \$2,724,850; and,

WHEREAS, Change Order No. 13, in the amount of \$9,895, was required to change 300' of fencing along the north property line to a high security vinyl extruded steel fence system. Contingency allowances in the amount of \$2,038.63 was applied to the total cost of \$9,895, in addition to a 10% contractor's fee in the amount of \$785.64, thereby resulting in a change of a net amount of \$8,642.01 and increasing the total contract amount to \$2,733,462.01; and,

WHEREAS, the project has been inspected by the Engineering and Facilities Maintenance Divisions and found to be complete in accordance with the provisions and terms set forth in the contract;

NOW, THEREFORE, BE IT RESOLVED BY THE

CITY COUNCIL OF THE CITY OF BEAUMONT:

THAT the statements and findings set out in the preamble to this resolution are hereby, in all things, approved and adopted; and,

THAT the Fire Station No. 2 Construction Project be and the same is hereby accepted; and,

BE IT FURTHER RESOLVED THAT the City Manager is hereby authorized to make final payment in the amount of \$136,573.09 to McInnis Construction, Inc., of Silsbee, Texas.

PASSED BY THE CITY COUNCIL of the City of Beaumont this the 30th day of June, 2015.

- Mayor Becky Ames -

June 30, 2015

Consider a request for a specific use permit to allow a retail, used clothing and merchandise store in an RCR (Residential Conservation Revitalization) District at 1795 Park Street

BEAUMONT

— T E X A S —

TO: City Council

FROM: Kyle Hayes, City Manager

PREPARED BY: Chris Boone, Planning & Community Development Director

MEETING DATE: June 30, 2015

REQUESTED ACTION: Council consider a request for a specific use permit to allow a retail, used clothing and merchandise store in an RCR (Residential Conservation Revitalization) District at 1795 Park Street.

BACKGROUND

In May, 2015, City Council approved a specific use permit at 1795 Park for a used clothing and merchandise store. Following this approval, staff received a written protest from a neighbor, claiming that she was not provided proper notification of the Joint Public Hearing on April 20, 2015.

June 9, 2015, City Council voted to repeal ordinance 15-010, and rehear the case.

The applicant has applied for a specific use permit to allow a retail clothing store in an RCR (Residential Conservation and Revitalization) District. The property is located at 1795 Park. The property received a Specific Use Permit (File 2032-P), in April of 2010 for a retail clothing store, however, the property was not used as a retail clothing store for at least one complete year and therefore must reapply.

The applicant is requesting a waiver to the landscape buffer and screening requirements along the North and East property lines.

At a Joint Public Hearing held June 15, 2015, the Planning Commission recommended 9:0 to approve a specific use permit to allow a retail, used clothing and merchandise store in an RCR (Residential Conservation Revitalization) District at 1795 Park Street and waive the landscaping requirements along the north and east property lines, subject to the following conditions:

1. Provide nine (9) parking spaces including one (1) disabled parking space.
2. Provide a six (6) foot wide landscape strip along the Irma St. frontage of the parking lot.

FUNDING SOURCE

Not applicable.

RECOMMENDATION

Approval of ordinance, subject to the following conditions:

1. Provide nine (9) parking spaces including one (1) disabled parking space.
2. Provide a six (6) foot wide landscape strip along the Irma St. frontage of the parking lot.

**SPECIFIC USE PERMIT APPLICATION
BEAUMONT, TEXAS**

(Chapter 28, City Codes)

TO: THE PLANNING COMMISSION AND CITY COUNCIL, CITY OF BEAUMONT, TEXAS

APPLICANT'S NAME: Mark W. Whiteley & Associates, Inc.

APPLICANT'S ADDRESS: 3250 Eastex Freeway, Beaumont, Texas 77703

APPLICANT'S PHONE #: 409-892-0421 FAX #: 409-892-1346

NAME OF OWNER: Miller Shield

ADDRESS OF OWNER: 8095 Torrey Pines Circle, Beaumont, Texas 77707

LOCATION OF PROPERTY: 1795 Park Street

LEGAL DESCRIPTION OF PROPERTY:

LOT NO. W. 1/2 of Lot 8, All of Lots 9 & 10 OR

TRACT _____

BLOCK NO. 5

PLAT _____

ADDITION Jersey Farm

SURVEY _____

NUMBER OF ACRES 0.4133

NUMBER OF ACRES _____

For properties not in a recorded subdivision, submit a copy of a current survey or plat showing the properties proposed for a specific use permit, and a complete legal field note description.

PROPOSED USE: Retail Store

ZONE: RCR

ATTACH A LETTER describing all processes and activities involved with the proposed uses.

ATTACH A SITE PLAN drawn to scale with the information listed on the top back side of this sheet.

ATTACH A REDUCED 8 1/2" X 11" PHOTOCOPY OF THE SITE PLAN.

THE EIGHT CONDITIONS listed on the back side of this sheet must be met before City Council can grant a specific use permit. **PLEASE ADDRESS EACH CONDITION IN DETAIL.**

ATTACH THE APPROPRIATE APPLICATION FEE:

LESS THAN 1/2 ACRE.....	\$250.00
1/2 ACRE OR MORE AND LESS THAN 5 ACRES.....	\$450.00
5 ACRES OR MORE.....	\$650.00

I, being the undersigned applicant, understand that all of the conditions, dimensions, building sizes, landscaping and parking areas depicted on the site plan shall be adhered to as amended and approved by City Council.

SIGNATURE OF APPLICANT: _____

DATE: 3/26/2015

SIGNATURE OF OWNER: _____

DATE: 3/26/2015

PLEASE TYPE OR PRINT AND SUBMIT TO:

CITY OF BEAUMONT
PLANNING DIVISION
801 MAIN STREET, ROOM 201
BEAUMONT, TX 77701

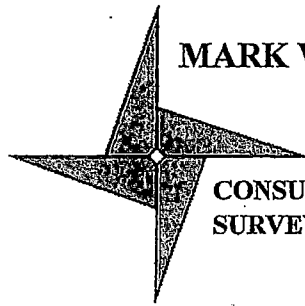
FILE NUMBER: 2227-P

DATE RECEIVED: 3/26/15

Phone - (409) 880-3764

Fax - (409) 880-3133

PLEASE MAKE NOTE ON REVERSE SIDE OF CONDITIONS TO BE MET REGARDING THE SITE PLAN AND LETTER OF PROPOSED USES AND ACTIVITIES.



**MARK W. WHITELEY
AND ASSOCIATES
INCORPORATED**

**CONSULTING ENGINEERS,
SURVEYORS, AND PLANNERS**

©

P. O. BOX 5492
BEAUMONT, TEXAS 77726-5492
409-892-0421

3250 EASTEX FRWY.
BEAUMONT, TEXAS 77703
(FAX) 409-892-1346

March 25, 2015

City of Beaumont
Planning Division
801 Main Street, Room 201
Beaumont, Texas 77701

ATTN.: Chris Boone

REF.: Specific Use Permit
1795 Park Street
West 1/2 of Lot 8 and All of Lots 9 & 10, Block 5
Jersey Farm

Dear Mr. Boone:

Please find attached the Specific Use Permit Application along with a site plan and the fee for the above referenced tract.

The owner proposes to use the property located at 1795 Park Street as a retail store. This site has been a commercial building since 1934. Also a specific use permit was previously applied for this location under File No. J11 dated April 19, 2010. The proposed use is the same as previously applied for.

The following comments address the eight conditions as required by the City's Specific Use Permit:

- The proposed specific use will be compatible with and not injurious to the use and enjoyment of other property, nor significantly diminish or impair property values within the immediate vicinity. This site has been a business previously.
- The establishment of the specific use will not impede the normal and orderly development and improvement of surrounding vacant property.
- There are existing adequate utilities, access roads, drainage and other necessary supporting facilities.
- As noted per the site plan the design, location and arrangement of all driveways and parking spaces provide for the safe and convenient movement of vehicular and pedestrian traffic without

adversely affecting the general public or adjacent development. We propose to improve the existing driveway. Based on the required parking we have shown a layout for 6 parking spaces.

- There will be no offensive odor, fumes, dust, noise and vibration caused by the proposed use of this building.
- There is no directional lighting proposed for this site.
- Since this is an existing building that has been on these lots many years, there is existing landscaping (trees and shrubs) on site that is compatible with the surrounding area. There is shown a proposed 6 foot wide landscape buffer adjacent to the proposed parking. This landscaping and screening will insure harmony and compatibility with adjacent property.
- The proposed use is in accordance with the Comprehensive Plan. As stated above there are currently businesses in the near vicinity of this site with similar use.

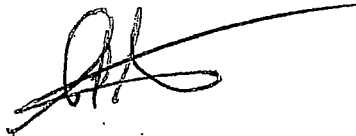
If you have any questions or need additional information please do not hesitate to call. I remain

Sincerely,



Thomas S. Rowe, PE, RPLS
Vice President

*I REQUEST A WAIVER TO THE 10' WIDE LANDSCAPE BUFFER AND
8' PRIVACY FENCE FOR THE NORTH AND EAST PROPERTY LINES.*



ORDINANCE NO.

ENTITLED AN ORDINANCE GRANTING A SPECIFIC USE PERMIT TO ALLOW A RETAIL, USED CLOTHING AND MERCHANDISE STORE IN AN RCR (RESIDENTIAL CONSERVATION REVITALIZATION) DISTRICT AT 1795 PARK STREET IN THE CITY OF BEAUMONT, JEFFERSON COUNTY, TEXAS.

WHEREAS, Mark W. Whiteley & Associates, Inc., on behalf of Miller Shield, has applied for a specific use permit to allow a retail, used clothing and merchandise store in an RCR (Residential Conservation Revitalization) District at 1795 Park Street, being the west ½ of Lot 8 and all of Lots 9 & 10, Block 5, Jersey Farm, Beaumont, Jefferson County, Texas, containing 0.4133 acres, more or less, as shown on Exhibit "A," attached hereto; and,

WHEREAS, the Planning and Zoning Commission of the City of Beaumont considered the request and is recommending approval of a specific use permit to allow a retail, used clothing and merchandise store in an RCR (Residential Conservation Revitalization) District at 1795 Park Street, subject to the following conditions:

- Provide nine (9) parking spaces including one (1) disabled parking space.
- Provide a six (6) foot wide landscape strip along the Irma Street frontage of the parking lot.

; and,

WHEREAS, the City Council is of the opinion that the issuance of such specific use permit is in the best interest of the City of Beaumont and its citizens;

NOW, THEREFORE, BE IT ORDAINED

BY THE CITY COUNCIL OF THE CITY OF BEAUMONT:

THAT the statements and findings set out in the preamble to this ordinance are hereby, in all things, approved and adopted; and,

Section 1.

That a specific use permit to allow a retail, used clothing and merchandise store in an RCR (Residential Conservation Revitalization) District at 1795 Park Street, being the west ½ of Lot 8 and all of Lots 9 & 10, Block 5, Jersey Farm, Beaumont, Jefferson County, Texas, containing 0.4133 acres, more or less, as shown on Exhibit "A," is hereby granted to Miller Shield, his legal representatives, successors and assigns, as shown on Exhibit "B," attached hereto and made a part hereof for all purposes, subject to the following conditions:

- Provide nine (9) parking spaces including one (1) disabled parking space.
- Provide a six (6) foot wide landscape strip along the Irma Street frontage of the parking lot.

Section 2.

That the specific use permit herein granted is expressly issued for and in accordance with each particular and detail of the site plan attached hereto as Exhibit "B" and made a part hereof for all purposes.

Section 3.

Notwithstanding the site plan attached hereto, the use of the property herein above described shall be in all other respects subject to all of the applicable regulations contained in Chapter 28 of the Code of Ordinances of Beaumont, Texas, as amended,

as well as comply with any and all federal, state and local statutes, regulations or ordinances which may apply.

PASSED BY THE CITY COUNCIL of the City of Beaumont this the 30th day of June, 2015.

- Mayor Becky Ames -

Applicant: Mark W. Whiteley & Associates, Inc.

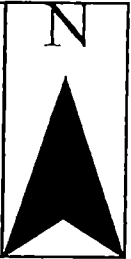


EXHIBIT "A"

June 30, 2015

Consider a request for a specific use permit to allow a home daycare in an R-S (Residential - Single Family) District at 3590 Bennett Road

BEAUMONT

— T E X A S —

TO: City Council

FROM: Kyle Hayes, City Manager

PREPARED BY: Chris Boone, Planning & Community Development Director

MEETING DATE: June 30, 2015

REQUESTED ACTION: Council consider a request for a specific use permit to allow a home daycare in an R-S (Residential - Single Family) District at 3590 Bennett Road.

BACKGROUND

Debra Kay Griffin, owner of Lil Debs Daycare, is requesting a specific use permit to allow for a day care facility in her home. The property is in an R-S (Residential – Single Family Dwelling) District, which allows this kind of use with a specific use permit application. The property is located at 3590 Bennett Road.

The facility will be located in a somewhat rural, residential area. The facility will be in operation from 6 AM to 6 PM, Monday through Friday and have a maximum of 6 children enrolled. Traffic is not anticipated to be a problem as this is not a highly populated area, the Griffin's have an ample driveway, and they have limited the number of children.

Utilities and drainage will not need to be altered. Parking will be provided on the existing driveway; however, it is not anticipated that this use will require any additional parking. The property owner has requested a waiver for the fencing requirement due to the rural nature of the area. Property lines to the east, north and west are all heavily wooded.

At a Joint Public Hearing held June 15, 2015, the Planning Commission recommended 9:0 to approve a specific use permit to allow a home daycare in an R-S (Residential- Single Family) District at 3590 Bennett Road subject to the following condition:

1. ADA space must be paved, striped, and designated with signage.

FUNDING SOURCE

Not applicable.

RECOMMENDATION

Approval of ordinance, subject to the following condition:

1. ADA space must be paved, striped, and designated with signage.

**SPECIFIC USE PERMIT APPLICATION
BEAUMONT, TEXAS**

(Chapter 28, City Codes)

TO: THE PLANNING COMMISSION AND CITY COUNCIL, CITY OF BEAUMONT, TEXAS

APPLICANT'S NAME: Debra Kay Griffin

APPLICANT'S ADDRESS: 3590 Bennett Rd, Beaumont, Texas 77608

APPLICANT'S PHONE #: 409-203-0929 FAX #: _____

NAME OF OWNER: Debra + same as above

ADDRESS OF OWNER: same as above

LOCATION OF PROPERTY: 3590 Bennett Rd

LEGAL DESCRIPTION OF PROPERTY:

LOT NO. South 250' of the West 220' of Lts 52+53 OR TRACT _____

BLOCK NO. _____ PLAT _____

ADDITION Beaumont Improvement Company SURVEY _____

NUMBER OF ACRES less than 1/2 acre NUMBER OF ACRES _____

For properties not in a recorded subdivision, submit a copy of a current survey or plat showing the properties proposed for a specific use permit, and a complete legal field note description.

PROPOSED USE: Home Daycare ZONE: 125 RS

ATTACH A LETTER describing all processes and activities involved with the proposed uses.

ATTACH A SITE PLAN drawn to scale with the information listed on the top back side of this sheet.

ATTACH A REDUCED 8 1/2" X 11" PHOTOCOPY OF THE SITE PLAN.

THE EIGHT CONDITIONS listed on the back side of this sheet must be met before City Council can grant a specific use permit. **PLEASE ADDRESS EACH CONDITION IN DETAIL.**

ATTACH THE APPROPRIATE APPLICATION FEE:

LESS THAN 1/2 ACRE.....	\$250.00
1/2 ACRE OR MORE AND LESS THAN 5 ACRES.....	\$450.00
5 ACRES OR MORE.....	\$650.00

I, being the undersigned applicant, understand that all of the conditions, dimensions, building sizes, landscaping and parking areas depicted on the site plan shall be adhered to as amended and approved by City Council.

SIGNATURE OF APPLICANT: Debra Kay Griffin DATE: 5/21/2015

SIGNATURE OF OWNER: same as above (IF NOT APPLICANT) DATE: _____

PLEASE TYPE OR PRINT AND SUBMIT TO:

CITY OF BEAUMONT
PLANNING DIVISION
801 MAIN STREET, ROOM 201
BEAUMONT, TX 77701

FILE NUMBER: 2232-P

DATE RECEIVED: 5/21/15

Phone - (409) 880-3764
Fax - (409) 880-3133

PLEASE MAKE NOTE ON REVERSE SIDE OF CONDITIONS TO BE MET REGARDING THE SITE PLAN AND LETTER OF PROPOSED USES AND ACTIVITIES.

DEBRA KAY GRIFFIN
3590 BENNETT RD
BEAUMONT, TEXAS
77708

Permit Letter

The purpose for this permit is a home based children day care. The name of the daycare is LIL DEBS DAY Care. The hours of operation are from 6am to 6 pm. The ages of children are from 18 months to 4 years old. The purpose of the daycare is to teach and nurture children while their parents or guardians are at work or in school. The day care will instruct children in health and personal habits such as eating, resting, and toilet habits. LIL DEBS DAY Care will support children's emotional and social development; also, encourage understanding of others and positive self-concepts.

The followings are some of the activities: reading books, simple painting, drawing handcrafts, and singing songs. The day care will be responsible for organize a curriculum for teaching children in our care to learn numbers, letters, and how to say and write their names.

Children are schedule to take a snap during the day and fed daily breakfast, snack, lunch and an afternoon snack before going home.

Summary: While in operation, LIL DEBS DAY Care will maintain a safe and harmony environment with the surrounding neighboring and the general public.

SPECIFIC USE PERMIT APPLICATION

BEAUMONT, TEXAS

CONDITIONS

1. In the center of approximately three acres, LIL DEBS DAYCARE is located about one hundred sixty five feet from the public road. LIL DEBS DAYCARE provides a day care service used to care for six children ages between 18 months to 4 years old. The day care service will not affect the immediate property or adjacent wooded vacant property.
2. The service of LIL DEBS DAYCARE provides care for six children ages between 18 months to 4 years old will not affect future development or improvement of surrounding vacant property.
- 3 LIL DEBS DAYCARE normal operating hours will be from 6AM to 6PM daily Monday thru Friday. Currently, we have installed on the east, west, and south side of the day care a 175 watts lighting system, that comes on automate at night. Each 175 watts bulb covers approximately 100 feet. The daycare is about 165 feet from the public road; therefore, LIL DEBS DAYCARE has plenty of access road. The property drainage consists of a one foot wide drainage ditch that drains to the city drainage; also, LIL DEBS DAYCARE is elevated approximately two feet above the city drainage ditch.
4. Access road to LIL DEBS DAYCARE is 165 feet long and approximately 10 feet wide. Presently, there are two parking lots located next to the day care; west side lot is 37 by 26 feet and the north side lot is 80 by 20 feet. Both parking lots are located 165 feet from the public road.

5. LIL DEBS DAYCARE is located about one hundred sixty five feet from the public road in the center of approximately three acres; therefore, the noise level will be minimum when the children are playing in the back yard for about two hours a day. The day care service will not produce fumes, dust, odor, or vibrations. LIL DEBS DAYCARE is licensed by the division of the Texas Department of Family and Protective Services.

6. LIL DEBS DAY CARE will be operating during day time hours; therefore, the daycare will not require directional lighting.

7. LIL DEBS DAYCARE is located on ½ acre of land in the center of approximately three acres .Presently; the adjacent properties are vacant heavy wooded area.

8. LIL DEBS DAYCARE service will not affect the general public; also, its operation will maintain harmony and compatibility with neighboring property. The daycare operation will not affect future improvement and development of surrounding vacant property.

LIL DEBS DAYCARE: Request a waiver to landscaping and screening buffers because the adjacent properties are heavy wooded vacant area.

Summary: LIL DEBS DAYCARE is a full time home based daycare specializing in taking care of children ages 18 months to 4 years old. LIL DEBS DAYCARE is licensed by Texas Department of Family and Protective Services. We provide care and knowledge to the children in our care; also, to the parents of the children we are caring for. LIL DEBS DAYCARE is a family based daycare focused on serving not only the community but the surrounding area of Beaumont, Texas. With the professional hands on care of today's young children, Knowledge is the key to success, and it starts in early childhood.

ORDINANCE NO.

ENTITLED AN ORDINANCE GRANTING A SPECIFIC USE PERMIT TO ALLOW A HOME DAYCARE FACILITY IN AN RS (RESIDENTIAL SINGLE FAMILY) DISTRICT AT 3590 BENNETT ROAD IN THE CITY OF BEAUMONT, JEFFERSON COUNTY, TEXAS.

WHEREAS, Debra Kay Griffin, owner of Lil Debs Daycare, has applied for a specific use permit to allow a home daycare facility in an RS (Residential Single Family) District at 3590 Bennett Road, being the south 250' of the west 220' of Lots 52 and 53, Beaumont Improvement Company, Beaumont, Jefferson County, Texas, containing 1.26 acres, more or less, as shown on Exhibit "A," attached hereto; and,

WHEREAS, the Planning and Zoning Commission of the City of Beaumont considered the request and is recommending approval of a specific use permit to allow a home daycare facility in an RS (Residential Single Family) District at 3590 Bennett Road, subject to the following condition:

- ADA space must be paved, striped, and designated with signage.

; and,

WHEREAS, the City Council is of the opinion that the issuance of such specific use permit is in the best interest of the City of Beaumont and its citizens;

NOW, THEREFORE, BE IT ORDAINED

BY THE CITY COUNCIL OF THE CITY OF BEAUMONT:

THAT the statements and findings set out in the preamble to this ordinance are hereby, in all things, approved and adopted; and,

Section 1.

That a specific use permit to allow a home daycare facility in a RS (Residential

Single Family) District at 3590 Bennett Road, being the south 250' of the west 220' of Lots 52 and 53, Beaumont Improvement Company, Beaumont, Jefferson County, Texas, containing 1.26 acres, more or less, as shown on Exhibit "A," is hereby granted to Debra Kay Griffin, her legal representatives, successors and assigns, as shown on Exhibit "B," attached hereto and made a part hereof for all purposes, subject to the following condition:

- ADA Space must be paved, striped, and designated with signage.

Section 2.

That the specific use permit herein granted is expressly issued for and in accordance with each particular and detail of the site plan attached hereto as Exhibit "B" and made a part hereof for all purposes.

Section 3.

Notwithstanding the site plan attached hereto, the use of the property herein above described shall be in all other respects subject to all of the applicable regulations contained in Chapter 28 of the Code of Ordinances of Beaumont, Texas, as amended, as well as comply with any and all federal, state and local statutes, regulations or ordinances which may apply.

PASSED BY THE CITY COUNCIL of the City of Beaumont this the 30th day of June, 2015.

- Mayor Becky Ames -

File 2232-P: A request for a Specific Use Permit to allow a home daycare in an R-S
(Residential-Single Family Dwelling) District.


Location: 3590 Bennett Road

Applicant: Debra Kay Griffin

0 100 200 300 400 Feet

N

Legend

 2232P

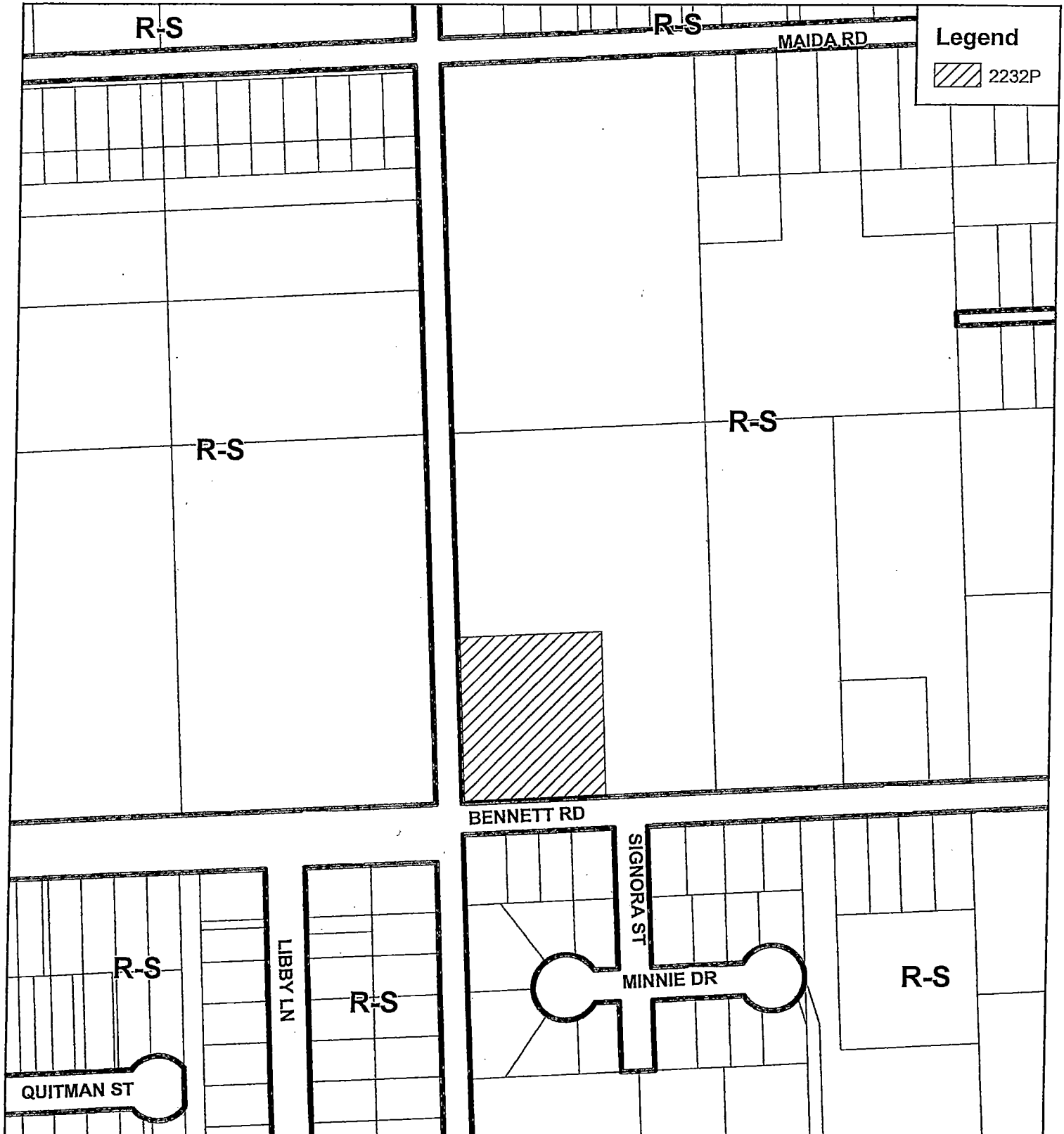


EXHIBIT "A"

LOT NO. 53



June 30, 2015

Consider a request for a specific use permit to allow an automotive repair shop in an NC
(Neighborhood Commercial) District at 3135 Park Street

BEAUMONT

TEXAS

TO: City Council

FROM: Kyle Hayes, City Manager

PREPARED BY: Chris Boone, Planning & Community Development Director

MEETING DATE: June 30, 2015

REQUESTED ACTION: Council consider a request for a specific use permit to allow an automotive repair shop in an NC (Neighborhood Commercial) District at 3135 Park Street.

BACKGROUND

Shelia Spikes is requesting a specific use permit to allow for a mechanic shop at 3135 Park Street. The property is zoned NC (Neighborhood Commercial). Ms. Spikes states that this property was used as a mechanic's shop several years ago. Since it has been several years, and the most recent use of the property was a restaurant, a specific use permit is required. A waiver to the landscaping and screening requirements is requested. As the property has been commercial in nature for many years, the buildings and parking situation are existing. The building abuts the property line and existing fencing appears to be sufficient.

At a Joint Public Hearing held June 15, 2015, the Planning Commission recommended 9:0 to approve a specific use permit to allow an automotive repair shop in an N-C (Neighborhood Commercial) District at 3135 Park Street, subject to the following conditions:

1. The driveway from Euclid should be narrowed to allow placement of 6 parking spaces. Parking area must be cleared, repaired and striped as per plan.

FUNDING SOURCE

Not applicable.

RECOMMENDATIONS

Approval of ordinance, subject to the following conditions:

1. The driveway from Euclid should be narrowed to allow placement of 6 parking spaces. Parking area must be cleared, repaired and striped as per plan.

SPECIFIC USE PERMIT APPLICATION
BEAUMONT, TEXAS
(Chapter 28, City Codes)

TO: THE PLANNING COMMISSION AND CITY COUNCIL, CITY OF BEAUMONT, TEXAS

APPLICANT'S NAME: SHELIA SPIKES
APPLICANT'S ADDRESS: PO Box 1131 CEDAR HILL TX. 75106
APPLICANT'S PHONE #: 469-939-1490 FAX #: _____
NAME OF OWNER: SHELIA SPIKES, EXECUTRIX, CALVIN SPIKES ESTATE
ADDRESS OF OWNER: PO BOX 1131 CEDAR HILL TX. 75106
LOCATION OF PROPERTY: 3135 PARK ST. BEAUMONT, TX. 77705

LEGAL DESCRIPTION OF PROPERTY:

LOT NO. 1 & 2 OR TRACT 1 & 2
BLOCK NO. 9 PLAT _____
ADDITION ARLINGTON LTS SURVEY _____
NUMBER OF ACRES 0.1616 NUMBER OF ACRES 0.276

For properties not in a recorded subdivision, submit a copy of a current survey or plat showing the properties proposed for a specific use permit, and a complete legal field note description.

PROPOSED USE: MECHANIC SHOP ZONE: NC

ATTACH A LETTER describing all processes and activities involved with the proposed uses.

ATTACH A SITE PLAN drawn to scale with the information listed on the top back side of this sheet.

ATTACH A REDUCED 8 1/2" X 11" PHOTOCOPY OF THE SITE PLAN.

THE EIGHT CONDITIONS listed on the back side of this sheet must be met before City Council can grant a specific use permit. PLEASE ADDRESS EACH CONDITION IN DETAIL.

ATTACH THE APPROPRIATE APPLICATION FEE:

LESS THAN 1/2 ACRE.....	\$250.00
1/2 ACRE OR MORE AND LESS THAN 5 ACRES.....	\$450.00
5 ACRES OR MORE.....	\$650.00

I, being the undersigned applicant, understand that all of the conditions, dimensions, building sizes, landscaping and parking areas depicted on the site plan shall be adhered to as amended and approved by City Council.

SIGNATURE OF APPLICANT:  DATE: 5-21-15

SIGNATURE OF OWNER:  DATE: 5-21-15

PLEASE TYPE OR PRINT AND SUBMIT TO:

CITY OF BEAUMONT
PLANNING DIVISION
801 MAIN STREET, ROOM 201
BEAUMONT, TX 77701

FILE NUMBER: 7234-P

DATE RECEIVED: 5/26/15

Phone - (409) 880-3764
Fax - (409) 880-3133

PLEASE MAKE NOTE ON REVERSE SIDE OF CONDITIONS TO BE MET REGARDING THE SITE PLAN AND LETTER OF PROPOSED USES AND ACTIVITIES.

SHEILA SPIKES
PO BOX 1131
CEDAR HILL TX 75105
459-939-1490

March 31, 2015

City of Beaumont
Zoning Board

Re: Specific Use Application, 3135 Park Street, Beaumont

Proposed Use: Property is currently approved for neighbor commercial. Existing building was formerly a mechanic shop, then a restaurant, and will now be changed back to a mechanic shop again. Building has an existing sand trap or oil disposal.

The proposed specific use:

1. Will be compatible with and not injurious to the use and enjoyment of other property, nor significantly diminish or impair property values within the immediate vicinity.
2. Will not impede the normal and orderly development and improvement of surrounding vacant property
3. Will have adequate utilities, access roads, drainage, and other necessary supporting facilities as required.
4. The design, location, and arrangement of all driveways and parking spaces provides for the safe and convenient movement of vehicular and pedestrian traffic without adversely affecting the general public or adjacent development as required by city codes
5. Will have adequate nuisance prevention measures taken in order to prevent or control offensive odor, fumes, dust, noise and vibration.
6. Directional lighting will be provided so as not to disturb or adversely affect neighboring properties
7. Because it was a previous commercial use I understand that no landscaping will be required.
8. The proposed use is in accordance with the Comprehensive Plan.

Sincerely,

A handwritten signature in black ink, appearing to read 'Sheila Spikes', with a stylized flourish at the end.

Sheila Spikes

ADDENDUM TO LETTER
ADDRESS OF PROPERTY
3135 PARK ST. BMT, TX.

BECAUSE THE BUILDING
ABUTS THE REAR PROPERTY
LINE THERE IS NO ROOM
FOR LANDSCAPE BUFFER
WE NEED TO APPLY
FOR A WAIVER
FOR NO LANDSCAPE BUFFER
AT THE REAR OF THE
EXISTING BUILDING

ORDINANCE NO.

ENTITLED AN ORDINANCE GRANTING A SPECIFIC USE PERMIT TO ALLOW AN AUTOMOTIVE REPAIR SHOP IN AN NC (NEIGHBORHOOD COMMERCIAL) DISTRICT AT 3135 PARK STREET IN THE CITY OF BEAUMONT, JEFFERSON COUNTY, TEXAS.

WHEREAS, Sheila Spikes has applied for a specific use permit to allow an automotive repair shop in a NC (Neighborhood Commercial) District at 3135 Park Street, being Lots 1 & 2, Tracts 1 & 2, Block 9, Arlington Addition, Beaumont, Jefferson County, Texas, containing 0.276 acres, more or less, as shown on Exhibit "A," attached hereto; and,

WHEREAS, the Planning and Zoning Commission of the City of Beaumont considered the request and is recommending approval of a specific use permit to allow an automotive repair shop in a NC (Neighborhood Commercial) District at 3135 Park Street, subject to the following condition:

- The driveway from Euclid should be narrowed to allow placement of six (6) parking spaces. Parking area must be cleared, repaired and striped as per plan.

; and,

WHEREAS, the City Council is of the opinion that the issuance of such specific use permit is in the best interest of the City of Beaumont and its citizens;

NOW, THEREFORE, BE IT ORDAINED

BY THE CITY COUNCIL OF THE CITY OF BEAUMONT:

THAT the statements and findings set out in the preamble to this ordinance are hereby, in all things, approved and adopted; and,

Section 1.

That a specific use permit to allow an automotive repair shop in a NC (Neighborhood Commercial) District at 3135 Park Street, being Lots 1 & 2, Tracts 1 & 2, Block 9, Arlington Addition, Beaumont, Jefferson County, Texas, containing 0.276 acres, more or less, as shown on Exhibit "A," is hereby granted to Sheila Spikes, her legal representatives, successors and assigns, as shown on Exhibit "B," attached hereto and made a part hereof for all purposes, subject to the following condition:

- The driveway from Euclid should be narrowed to allow placement of six (6) parking spaces. Parking area must be cleared, repaired and striped as per plan.

Section 2.

That the specific use permit herein granted is expressly issued for and in accordance with each particular and detail of the site plan attached hereto as Exhibit "B" and made a part hereof for all purposes.

Section 3.

Notwithstanding the site plan attached hereto, the use of the property herein above described shall be in all other respects subject to all of the applicable regulations contained in Chapter 28 of the Code of Ordinances of Beaumont, Texas, as amended, as well as comply with any and all federal, state and local statutes, regulations or ordinances which may apply.

PASSED BY THE CITY COUNCIL of the City of Beaumont this the 30th day of June, 2015.

- Mayor Becky Ames -

File 2234-P: A request for a Specific Use Permit to allow an automotive repair shop in an NC (Neighborhood Commercial) District.

Location: 3135 Park Street

Applicant: Sheila Spikes

0 100 200 Feet

N

Legend

2234P



EXHIBIT "A"

NORTH
EUCLID ST.

EXIT

N 61° 15' 30" E WALK

46' PROPERTY LINE
ASPHALT DRIVE

19'

FIRE HYDRANT

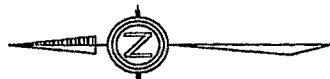
N 09° 01' 30" W

153' PROPERTY LINE
NO EXISTING LANDSCAPING

UT. POLE

PLOT PLAN

SCALE: 1" = 20'
3135 PARK ST.
BEAUMONT, TX
LOT 214 BLK 9
ARLINGTON HTS.
DATE: 5-26--15
DIMENSIONS WERE NOT
SUPPLIED BY
OWNERS AND NOT
VERIFIED BY
BRENDA'S DRAWING
BOARD



61.8' PROPERTY LINE

4-9' PK SP
ADDING
NEW PARKING SPACE
AND ADA PARKING
NEW ASPHALT

EXISTING ASPHALT
20' BUILDING SET BACK LINE

PROPERTY LINE

100'

71'-1"

55.6'

APPROX. 26'
SETBACK FOR
FRONT OF BUILDING

S 82° 04' 30" W

92' PROPERTY LINE

92'

EXIT

1 STORY
METAL BUILDING
APPROX. 17' TALL
AT THE HIGHEST POINT
PLATE HT 12' TALL LEFT SIDE OF
AND APPROX 9 TALL ON
THE RIGHT SIDE OF BUILDING

94'

ENTRANCE /
EXIT

51'-4"

PATH TO DOOR FOR HANDICAP

WIDE OVERHANG

ADD RAMP

22'-11"

FUTURE
ENTRANCE /
EXIT

39'-10"

10' OH GAR DR.

ADD RAMP

ENTRANCE
ASPHALT DRIVE

27'-10"

WEST

PARK ST.

N 5° 09' 01" 306

96' PROPERTY LINE

EXHIBIT "B"

BRENDA'S DRAWING BOARD

1110 Gladys Suite C Beaumont, Texas 77706

Phone: (409) 866-8100 Fax: (409) 866-8101

E-mail babshir@ebcglobal.net

SHELIA SPICES PROPERTY OWNER
459-939-1490

PROPOSED MECHANICS SHOP
3135 PARK STREET BMT, TX

ZONED HEIGHBORHOOD COMMERCAIL

June 30, 2015

Consider a request to conduct a new Public Hearing pertaining to a request for a specific use permit to allow a law office in an RM-H (Residential Multiple Family Dwelling - Highest Density) District at 2226 Hazel Avenue

BEAUMONT

TEXAS

TO: City Council

FROM: Kyle Hayes, City Manager

PREPARED BY: ^{CSB} Chris Boone, Planning & Community Development Director

MEETING DATE: June 30, 2015

REQUESTED ACTION: Council consider a request to conduct a new Public Hearing pertaining to a request for a specific use permit to allow a law office in an RM-H (Residential Multiple Family Dwelling - Highest Density) District at 2226 Hazel Avenue.

BACKGROUND

The applicant applied for a specific use permit to use the property at 2226 Hazel Avenue to house his law firm.

At a Joint Public Hearing held June 15, 2015, the Planning Commission recommended 5:4 to deny a specific use permit to allow a law office in an RM-H (Residential Multiple Family Dwelling - Highest Density) District at 2226 Hazel Avenue.

However, following this hearing, the applicant's son, Sean Villery-Samuel, raised an objection, stating that Planning Commission members Lynda Kay Makin and Marty Craig and staff member, Chris Boone, have property within the Oaks Historic District and therefore should recuse themselves from the matter. Mr. Villery-Samuel has requested a new hearing before the Planning and Zoning Commission.

For reference purposes, the size of the Oaks Historic District is approximately one mile by one mile. Also for reference purposes, Commissioner Makin's property is approximately .35 miles from the subject property, Commissioner Craig's property (although recently sold) is .42 miles from the subject property and staff member Boone's property is .34 miles from the subject property.

FUNDING SOURCE

Not applicable.

RECOMMENDATION

None.

SAMUEL & SON LAW FIRM, P.L.L.C.
ATTORNEY'S AT LAW

CITY CLERKS OFFICE
CITY OF BEAUMONT

2015 JUN 16 PM 2:05



Sean Villery-Samuel
scsamuel@yahoo.com

Audwin M. Samuel
attysamuel@live.com

June 16, 2015

Dear Mayor and Council:

In consideration of the vote recently delivered by the Planning and Zoning Commission on June 15, 2015, I am sending this letter as a formal request for a new hearing before the Planning and Zoning Commission. This request is based upon two members of the commission taking part in a vote, when an Attorney General Opinion indicates that they should have recused themselves (see Exhibit A).

Prior to the 4-5 vote against approving the specific use permit for the subject location, 2226 Hazel, a question as to the necessity of commissioners Lynda K. Makin and Marty Craig recusing themselves from the vote due to them both having property within the Oaks Historic District. Upon raising the question, the Presiding Commissioner, Sina Nejad, indicated that the commission considered the question prior to coming to the meeting, and determined that there was no conflict of interest and that they could vote. The Commissioner went on to say that Commissioner Shani Daigle, Councilman Audwin Samuel's appointee, would have had to recuse herself as well, due to being his appointee.

In considering whether Commissioner Makin and Commissioner Craig should have recused themselves there are a couple of question that must first be answered. First, are commissioners considered "local public officials" according to the Local Government Code? Second, if a commissioner is considered a local public official, what constitutes a conflict of interest? Lastly, if a commissioner does have a conflict of interest, what actions must be taken by the individual commissioners and commission, if any?

In answering the first question, are the commissioners consider "local public officials"? In short, yes. According to Chapter 171 of the Local Government Code, which deals with conflicts of interest on the part of "local public officials", a local public official is defined as follows: local public official means a member of the governing body or another officer, whether elected, *appointed*, paid, or *unpaid*, of any district (including a school district), county, *municipality*, precinct, central appraisal district, transit authority or district, or other local governmental entity who exercises responsibilities *beyond those that are advisory in nature*. Local Gov't Code § 171.001(1) (emphasis added). As stated in the Attorney General Opinion, "it is clear that a member of the commission exercises responsibilities beyond those that are advisory in nature." Tex. Att'y Gen. Op. No. DM-309 (1994).

After determining that Commissioner Makin and Commissioner Craig are "local public officials", as determined by the Local Government Code we must turn to the second question. What constitutes a conflict of interest? In answering this question, we must turn to section 171.004 of the local Government Code. This section reads as follows:

- (a) If a local public official has a substantial interest in a business entity or in real property, the official shall file, before a vote or decision on any matter involving the business entity or the

real property, an affidavit stating the nature and extent of the interest and shall abstain from further participation in the matter if:

- (1) If in the case of a substantial interest in a business entity the action on the matter will have a special economic effect on the business entity that is distinguishable from the effect on the public ; or
- (2) In the case of a substantial interest in real property, it is reasonably foreseeable that an action on the matter will have a special economic effect on the value of the property, distinguishable from its effect on the public.

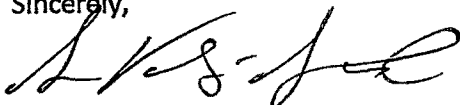
Here, both Commissioner Makin and Commissioner Craig indicated that they own property within the Oaks historic District. More importantly, the Commissioners have said that the allowance of the SUP granting our law office the ability to operate in this area would negatively impact their property values. The statute doesn't make a determination as to whether the impact on the property must be positive or negative, it must simply impact. Therefore, based on the admissions of the Commissioners they do have a significant interest in the outcome of the vote, thus they should have recused themselves.

Lastly, being that they are local public officials with an interest in the outcome of the matter, they should have not only filed an affidavit indicating the nature of their interest, they should have recused themselves as well. The law is clear on this matter, and the Commissioners and Commission chose to not follow the law and take part in the vote. It is noteworthy to note, "a local public official commits a criminal offense if he or she knowingly fails to file an affidavit stating the nature and extent of his or her substantial interest in a business entity on which a vote or decision will have a special economic effect, as required by section 171.004." Tex. Att'y Gen. Op. No. DM-309 (1994).

In response to the Presiding Commissioner's position that Commissioner Daigle would have been required to recuse herself if Commissioner Makin and Commissioner Craig had to, I must say I do not agree, nor does the law indicate such. The necessity of Commissioner Daigle having to recuse herself is not based on the same logic or law. The logic for the preceding arguments and law, is that anyone with a financial interest in the outcome of their vote should be prohibited from taking part in such vote. Here, Commissioner Makin and Commissioner Craig have such a financial interest, while Commissioner Daigle does not.

In consideration of the aforementioned information, I request a rehearing on our specific use permit in order for a new vote to take place. Furthermore, I also request that Commissioner Makin and Commissioner Craig abstain from taking part and recuse themselves from the vote. In light of everything before you now, I believe this is the fair, right and just thing to do for all parties involved. I thank you for your time and consideration. I am,

Sincerely,



Sean C. Villery-Samuel

EXHIBIT A



**Office of the Attorney General
State of Texas**

DAN MORALES
ATTORNEY GENERAL

December 6, 1994

Honorable Fred Hill
Chair
Committee on Urban Affairs
Texas House of Representatives
Austin, Texas 78768-2910

Opinion No. DM-309

Re: Whether the members of the City of Dallas Planning and Zoning Commission are "local public officials" under chapter 171 of the Local Government Code and related questions (RQ-689)

Dear Representative Hill:

You ask whether members of the City of Dallas Planning and Zoning Commission (the "commission") are "local public officials" under chapter 171 of the Local Government Code. Specifically, you ask if the members are "local public officials" for purposes of chapter 171

when they make recommendations on proposed changes to zoning regulations or boundaries in accordance with Section 211.007(b) of the [Local Government] Code in light of the fact that Dallas has adopted an ordinance in conjunction with Section 211.006(f) of the Local Government Code that requires an affirmative vote of at least three-fourths of the entire City Council to overrule a recommendation of denial by the commission.

Section 211.007 of the Local Government Code provides in pertinent part:

(a) To exercise the powers authorized by this subchapter, the governing body of a home-rule municipality shall, and the governing body of a general-law municipality may, appoint a zoning commission. The commission shall recommend boundaries for the original zoning districts and appropriate zoning regulations for each district. If the municipality has a municipal planning commission at the time of implementation of this subchapter, the governing body may appoint that commission to serve as the zoning commission.

(b) The zoning commission shall make a preliminary report and hold public hearings on that report before submitting a final report to the governing body. The governing body may not hold a public hearing until it receives the final report of the zoning commission unless the governing body by ordinance provides that a public hearing is to be held, after the notice required by Section 211.006(a), jointly with a public hearing required to be held by the zoning

commission. In either case, the governing body may not take action on the matter until it receives the final report of the zoning commission.

Local Gov't Code § 211.007. Section 211.006(f) provides as follows:

(f) The governing body by ordinance may provide that the affirmative vote of at least three-fourths of all its members is required to overrule a recommendation of the municipality's zoning commission that a proposed change to a regulation or boundary be denied.

Id. § 211.006.

Chapter 171 of the Local Government Code governs conflicts of interest on the part of "local public officials." "Local public official" is defined as follows:

"Local public official" means a member of the governing body or another officer, whether elected, appointed, paid, or unpaid, of any district (including a school district), county, municipality, precinct, central appraisal district, transit authority or district, or other local governmental entity who exercises responsibilities beyond those that are advisory in nature.

Id. § 171.001(1). In light of the information you have provided, it is clear that a member of the commission exercises responsibilities beyond those that are advisory in nature. Thus, we conclude that a commission member is a "local public official" under the foregoing definition and therefore subject to the requirements of chapter 171. We further note that a commission member is subject to chapter 171 not just when he or she makes a recommendation specified in section 211.006(f). Rather, all of his or her acts as a commission member are subject to chapter 171.

Next you ask, "Does the term 'involving the business entity' used in Section 171.004(a) refer only to the business entity whose request is the subject matter of the vote or decision, or does it also include a business entity that is paid to represent the entity whose request is the subject matter of the vote or decision?" In a related question, you ask, "Does the term 'involving the business entity' used in Section 171.004(a) include a business entity that is paid to represent a person or group opposing the business entity whose request is the subject matter of the vote or decision?" We conclude that the term "business entity" includes any business entity that represents a party with an interest in a matter before the commission for the following reasons.

Section 171.004 provides in pertinent part:

(a) If a local public official has a substantial interest in a business entity or in real property, the official shall file, before a vote or decision on any matter involving the business entity or the real

property, an affidavit stating the nature and extent of the interest and shall abstain from further participation in the matter if:

(1) if in the case of a substantial interest in a business entity the action on the matter will have a special economic effect on the business entity that is distinguishable from the effect on the public; or

(2) in the case of a substantial interest in real property, it is reasonably foreseeable that an action on the matter will have a special economic effect on the value of the property, distinguishable from its effect on the public.

....

(c) If a local public official is required to file and does file an affidavit under Subsection (a), the official is not required to abstain from further participation in the matter requiring the affidavit if a majority of the members of the governmental entity of which the official is a member is composed of persons who are likewise required to file and who do file affidavits of similar interests on the same official action.

Section 171.004(a)(1) requires a commission member to file an affidavit if he or she has a substantial interest in a business entity¹ and the action on the matter will have a special economic effect on the business entity. *Id.* § 171.004(a)(1). Section 171.004(a)(1) is broadly written and does not require that the business entity have a direct interest in the matter. It only requires that the action on the matter have a special economic effect on the business entity. Furthermore, chapter 171 does not confine the term "business entity" to only those business entities with a direct interest in an action. *See id.* § 171.001(2) ("Business entity" means a sole proprietorship, partnership, firm, corporation, holding company, joint-stock company, receivership, trust, or any other entity recognized by law."). We believe that section 171.004(a)(1) extends to an action of the commission that will have a special economic effect on a business entity that represents an entity or person with an interest in a matter before the commission. Whether or not a particular action will have a special economic effect on a business entity that represents an entity or person with an interest in a matter before the commission is a question of fact and is therefore beyond the purview of the opinion process. *See* Attorney General Opinion DM-279 (1993) at 7. A local public official commits a criminal offense if he or she knowingly fails to file an affidavit stating the nature and extent of his or her substantial interest in a business entity

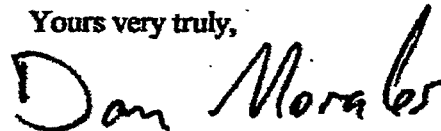
¹A person has a "substantial interest in a business entity" if (i) the person owns ten percent or more of the voting stock or shares of the business entity or owns either ten percent or more or \$5,000 or more of the fair market value of the business entity or (ii) funds received by the person from the business entity exceed ten percent of the person's gross income for the previous year. *See* Local Gov't Code § 171.002(a).

on which a vote or decision will have a special economic effect, as required by section 171.004. See Local Gov't Code § 171.003.

S U M M A R Y

A member of the City of Dallas Planning and Zoning Commission (the "commission") is a "local public official" subject to the requirements of chapter 171 of the Local Government Code. Section 171.004(a)(1) extends to an action of the commission that will have a special economic effect on a business entity that represents an entity or person with an interest in a matter before the commission.

Yours very truly,



DAN MORALES
Attorney General of Texas

JORGE VEGA
First Assistant Attorney General

DREW T. DURHAM
Deputy Attorney General for Criminal Justice

JAVIER AGUILAR
Special Assistant Attorney General

RENEA HICKS
State Solicitor

SARAH J. SHIRLEY
Chair, Opinion Committee

Prepared by Mary R. Crouter
Assistant Attorney General

SAMUEL & SON LAW FIRM, P.L.L.C.
ATTORNEY'S AT LAW



Sean Villery-Samuel
scsamuel@yahoo.com

Audwin M. Samuel
attysamuel@live.com

June 17, 2015

Dear Mayor and Council:

In an attempt to give further clarity to the issue before us all, I offer this supplemental letter. In conducting further research into the matter, the attached Attorney General Opinion offers further guidance (Exhibit A).

According the Local Government Code, a "substantial interest in real property" is defined as "an equitable or legal ownership with a fair market value of \$2,500.00 or more." Local Gov't Code § 171.002(b). "Thus, if the value of the residence exceeds \$2,500.00, a city council member who owns his or her home has a substantial interest in the residence." Tex. Att'y Gen. Op. No 96-049 (1996). Therefore, in consideration of Commissioner Lynda K. Makin and Commissioner Marty Craig being local public officials, if their property is valued more than \$2,500.00, then they should have recused themselves. In consideration of the aforementioned, their vote would have a reasonably foreseeable economic effect that is distinguishable from its effect on the public.

In addition, should Commissioner Lynda K. Makin and Commissioner Marty Craig be found to have to recuse themselves from participating in the vote on this matter, I believe Chris Boone, Community Development Director for the City of Beaumont, faces the same dilemma. In accordance with to Chapter 171 of the Local Government Code, the Community Development Director for the City of Beaumont is considered a local public official.

According to that section, a "local public official" is a member of the governing body or *another officer*, whether elected, appointed, *paid*, or unpaid, of any district (including a school district), county, *municipality*, precinct, central appraisal district, transit authority or district, or other *local governmental entity who exercises responsibilities beyond those that are advisory in nature*. Local Gov't Code § 171.001(1) (emphasis added). As the Director, an "officer", he doesn't simply advise in zoning matters, but utilizes the authority of his office in making decisions that are determinative and binding. Furthermore, Mr. Boone possess property within the Oaks Historic District valued more than \$2,500.00, thus creating the same conflict of interest that Commissioner Makin and Commissioner Craig face. As this is the case, Mr. Boone should recuse himself from any involvement within the process, as he tenders the opinion to the zoning and planning commission in regards to approving or denying a specific use permit.

Again, thank you for any time and consideration you offer in the matter. This additional Attorney General Opinion is offered as further advisement. I am,

Sincerely,

Sean C. Villery-Samuel

CITY CLERKS OFFICE
CITY OF BEAUMONT
2015 JUN 17 AM 8:52

EXHIBIT A



**Office of the Attorney General
State of Texas**

DAN MORALES
ATTORNEY GENERAL

May 10, 1996

**The Honorable Fred Hill
Chair
Committee on Urban Affairs
Texas House of Representatives
P.O. Box 2910
Austin, Texas 78768-2910**

Letter Opinion No. 96-049

**Re: Whether a city council member may
vote or decide on a zoning matter
regarding the subdivision in which the
member resides (ID# 38147)**

Dear Representative Hill:

You ask whether a city council member may vote or decide on a zoning matter regarding the subdivision in which the member resides. You have not told us that the city council member owns the residence. We assume that this is the case. Apparently, a city council agenda will include an application for an amendment to a zoning ordinance governing the subdivision.

Chapter 171 of the Local Government Code, which regulates local public officials' conflicts of interests, applies to city council members. Local Gov't Code § 171.001(1); Attorney General Opinion DM-130 (1992) at 2 ("A home rule city council member is clearly a 'local public official' within the meaning of [Local Government Code] section 171.004."). Section 171.004 provides that if it is reasonably foreseeable that a vote or decision on a matter involving real property will have a special economic effect on the value of the property, distinguishable from its effect on the public, a local public official who has a substantial interest in the real property must take certain steps. Local Gov't Code § 171.004(a). Those steps include filing an affidavit stating the nature and extent of the real property interest before a vote or decision on a matter involving the real property and abstaining from further participation in the matter. *Id.*

Section 171.002 defines a "substantial interest in real property" as "an equitable or legal ownership with a fair market value of \$2,500 or more." *Id.* § 171.002(b). Thus, if the value of the residence exceeds \$2,500, a city council member who owns his or her home has a substantial interest in the residence. That fact, however, does not necessarily preclude the city council member from voting or deciding on a matter affecting the property. As noted above, the city council member must abstain only if it is reasonably foreseeable that the action on the matter will have a special economic effect on the value of the property, distinguishable from its effect on the public. Whether it is "reasonably foreseeable" that a matter will have a "special economic effect" on the value of the member's residence 'distinguishable from its effect on the public,' so as to trigger the affidavit and abstention requirements of the section . . . depend[s] on the facts of the

particular case." Attorney General Opinion DM-130 (1992) at 2. Therefore, we cannot provide a definitive answer to your question.

We further note that because chapter 171 is cumulative of municipal charter provisions and ordinances, a city council member should consult charter provisions and ordinances to determine whether they place additional restrictions on members' participation in matters affecting their real property. *Id.* at 3; *see also* Local Gov't Code § 171.007(b) (providing that chapter 171 is cumulative of municipal charter provisions and ordinances prohibiting conflicts of interests).

S U M M A R Y

Under chapter 171 of the Local Government Code, a city council member may not vote or decide on a zoning matter regarding the subdivision in which the member owns a residence if it is reasonably foreseeable that the action on the matter will have a special economic effect on the value of the member's residence, distinguishable from its effect on the public.

Yours very truly,



Mary R. Crouter
Assistant Attorney General
Opinion Committee

RESOLUTION NO.

BE IT RESOLVED BY THE CITY COUNCIL

OF THE CITY OF BEAUMONT:

THAT the City Council hereby authorizes a new Public Hearing to consider a specific use permit to allow a law office in an RM-H (Residential Multiple Family Dwelling – Highest Density) District at 2226 Hazel Avenue.

PASSED BY THE CITY COUNCIL of the City of Beaumont this the 30th day of June, 2015.

- Mayor Becky Ames -

June 30, 2015

Consider a request for a specific use permit to allow a law office in an RM-H (Residential Multiple Family Dwelling - Highest Density) District at 2226 Hazel Avenue

BEAUMONT

— T E X A S —

TO: City Council

FROM: Kyle Hayes, City Manager

PREPARED BY: Chris Boone, Planning & Community Development Director

MEETING DATE: June 30, 2015

REQUESTED ACTION: Council consider a request for a specific use permit to allow a law office in an RM-H (Residential Multiple Family Dwelling - Highest Density) District at 2226 Hazel Avenue.

BACKGROUND

The applicant would like to use the property at 2226 Hazel Avenue, to house his law firm. The office is to house two licensed lawyers and one assistant. Office hours would be from 8:00am - 5:00pm, Monday through Friday. Normal business would involve no more than two scheduled clients visiting the office for consultation at the same time.

The office use is proposed to be located in a block of Hazel between 6th and 7th Streets that is shown in the Comprehensive Plan as a *Stable Area*. While commercial uses are not necessarily prohibited in a *Stable Area*, great care should be given in allowing them. If allowed, this office would be the only non-residential use in this block. While RM-H (Residential Multiple Family Dwelling - Highest Density) does allow for the approval of offices with an SUP, this particular block should be considered stable, given the few vacant structures in the block, the lack of applications to convert residential uses to commercial uses, and the fact that the property values in this block continue to increase and not decrease. It should be noted that the analysis showing increasing property values in this block is only intended to demonstrate that this is a stable area and not intended to argue or imply that allowing this office would reverse or impact property values.

Allowing this first new commercial use in this established residential block would not be compatible and would be considered injurious to adjacent properties and would impede the normal and orderly development and improvement of surrounding vacant and improved properties.

At a Joint Public Hearing held June 15, 2015, the Planning Commission recommended 5:4 to deny a specific use permit to allow a law office in an RM-H (Residential Multiple Family Dwelling - Highest Density) District at 2226 Hazel Avenue.

FUNDING SOURCE

Not applicable.

RECOMMENDATION

The Administration recommends denial of a specific use permit.

**SPECIFIC USE PERMIT APPLICATION
BEAUMONT, TEXAS**

(Chapter 28, City Codes)

TO: THE PLANNING COMMISSION AND CITY COUNCIL, CITY OF BEAUMONT, TEXAS

APPLICANT'S NAME: Andwin M. Samuel

APPLICANT'S ADDRESS: 1965 PARK STREET, Suite 101

APPLICANT'S PHONE #: (409) 833-4111 FAX #: (409) 838-2220

NAME OF OWNER: NORRIS and Gwendolyn TURNER

ADDRESS OF OWNER: 2454 ROMAN STREET, BEAUMONT, TEXAS

LOCATION OF PROPERTY: 2226 HAZEL STREET, BEAUMONT, TEXAS.

LEGAL DESCRIPTION OF PROPERTY:

LOT NO. Block 0922 - lot 23 OR TRACT _____

BLOCK NO. 7 PLAT _____

ADDITION AVERILL SURVEY _____

NUMBER OF ACRES .1997 NUMBER OF ACRES _____

For properties not in a recorded subdivision, submit a copy of a current survey or plat showing the properties proposed for a specific use permit, and a complete legal field note description.

PROPOSED USE: Law Office ZONE: RM-H

ATTACH A LETTER describing all processes and activities involved with the proposed uses.

ATTACH A SITE PLAN drawn to scale with the information listed on the top back side of this sheet.

ATTACH A REDUCED 8 1/2" X 11" PHOTOCOPY OF THE SITE PLAN.

THE EIGHT CONDITIONS listed on the back side of this sheet must be met before City Council can grant a specific use permit. **PLEASE ADDRESS EACH CONDITION IN DETAIL.**

ATTACH THE APPROPRIATE APPLICATION FEE:

LESS THAN 1/2 ACRE.....	\$250.00
1/2 ACRE OR MORE AND LESS THAN 5 ACRES.....	\$450.00
5 ACRES OR MORE.....	\$650.00

I, being the undersigned applicant, understand that all of the conditions, dimensions, building sizes, landscaping and parking areas depicted on the site plan shall be adhered to as amended and approved by City Council.

SIGNATURE OF APPLICANT: Andwin M. Samuel DATE: May 22, 2015

SIGNATURE OF OWNER: _____ (IF NOT APPLICANT) DATE: _____

PLEASE TYPE OR PRINT AND SUBMIT TO:

CITY OF BEAUMONT
PLANNING DIVISION
801 MAIN STREET, ROOM 201
BEAUMONT, TX 77701

FILE NUMBER: 2233-P

DATE RECEIVED: 5/22/15

Phone - (409) 880-3764
Fax - (409) 880-3133

PLEASE MAKE NOTE ON REVERSE SIDE OF CONDITIONS TO BE MET REGARDING THE SITE PLAN AND LETTER OF PROPOSED USES AND ACTIVITIES.

SAMUEL & SON LAW FIRM, P.L.L.C.

ATTORNEYS AT LAW

AUDWIN M. SAMUEL
ATTYSAMUEL@LIVE.COM

SEAN VILLERY-SAMUEL
SCSAMUEL@YAHOO.COM

May 22, 2015

City of Beaumont
Planning Division
801 Main Street, Room 201
Beaumont, Texas 77701

RE: Specific Use Application

To Whom It May Concern:

This is an application for a specific use permit to locate a law office at 2226 Hazel.

The office is to house a small general practice Law Firm, with two lawyers, licensed to practice in the State of Texas.

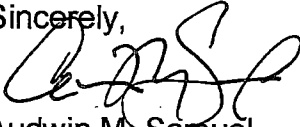
The office hours will be from 8:00am – 5:00pm, Monday through Friday. There will be three people working in the office on a daily basis. Normally there will be no more than two scheduled clients visiting the office for consultations at the same time.

The application request meets the following required conditions:

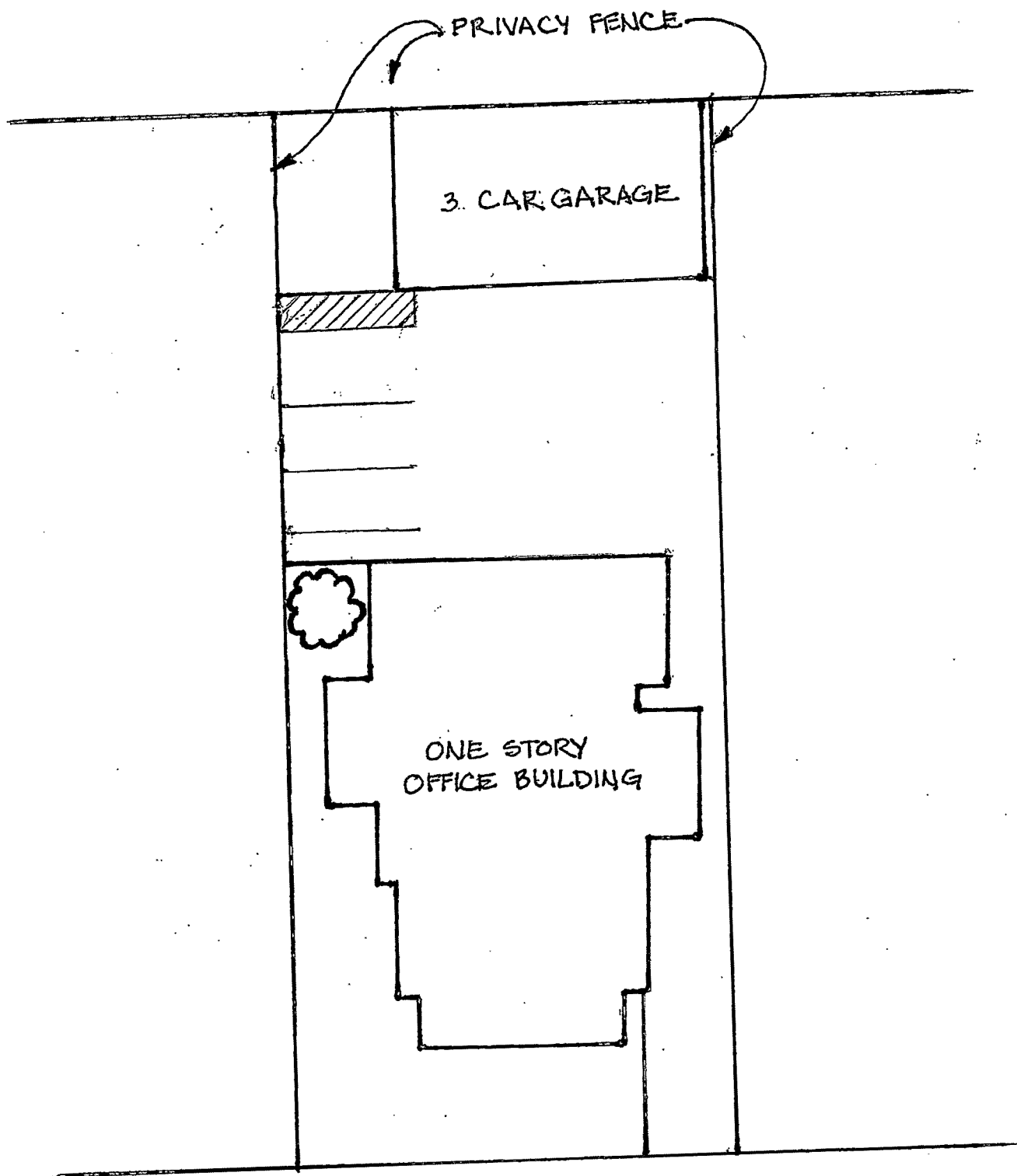
- The specific use will be compatible with and not injurious to the use and enjoyment of other property and will not diminish or impair property values in the immediate vicinity;
- The specific use will not impede the normal and orderly development of surrounding vacant property;
- There are adequate utilities, access roads, drainage and other necessary supporting, facilities have been provided;
- The design, location and arrangement of all driveways and parking spaces provides for the safe and convenient movement of vehicular and pedestrian traffic without adversely affecting the general public or adjacent development;
- There are adequate nuisance prevention measures preventing offensive odors, fumes, dust, noise and vibrations;
- There will be no directional lighting that would disturb or adversely affect neighboring properties;
- There is sufficient landscaping and screening to insure harmony and compatibility with adjacent property;
- The proposed use is in accordance with the Comprehensive Plan.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to be 'A. Samuel', written over the printed name.

Audwin M. Samuel



HAZEL STREET

DATE: June 15, 2015

TO: Planning Commission and City Council

FROM: Chris Boone, Director of Planning and Community Development

SUBJECT: Consider a request for a specific use permit to allow a law office in an RM-H (Residential Multiple Family Dwelling - Highest Density) District.

FILE: 2233-P

STAFF REPORT

The Planning staff recommends denial.

The applicant would like to use the property at 2226 Hazel Avenue, to house his law firm. The office is to house two licensed lawyers and one assistant. Office hours would be from 8:00am - 5:00pm, Monday through Friday. Normal business would involve no more than two scheduled clients visiting the office for consultation at the same time.

During an initial review, it might appear that a professional office in a block containing multiple apartment complexes and bordered by blocks containing a professional office and restaurants, might be acceptable. However, in determining whether or not this application for a new business, in this particular block should be approved, it is important to consider that the commercial uses in the adjacent blocks were established many years ago, at a time when this area was declining and conditions were different. Now, in 2015, in reviewing whether this particular Specific Use Permit (SUP) should be approved, it is important to consider several specific factors. First, it is important to consider the overall purpose of the Specific Use Permit process, which the Zoning Ordinance states as:

Purpose. This section provides the City Council the opportunity to deny or to conditionally approve those uses for which specific use permits are required. These uses generally have unusual nuisance characteristics or are of a public or semi-public character often essential or desirable for the general convenience and welfare of the community. Because, however, of the nature of the use, the importance of the use's ***relationship to the comprehensive plan, or possible adverse impact on neighboring properties of the use, review, evaluation, and exercise of planning judgment*** relative to the location and site plan of the proposed use are required."

In addition to the *Purpose*, described above, the Zoning Ordinance states that an SUP "shall be granted only if all of the eight (8) *Conditions of Approval* have been met. The summary analysis of these eight conditions is enclosed. However, below is a more detailed analysis of the three conditions that are most relevant.

They are:

- (1) That the specific use will be compatible with and not injurious to the use and enjoyment of other property, nor significantly diminish or impair property values within the immediate vicinity;
- (2) That the establishment of the specific use will not impede the normal and orderly development and improvement of surrounding vacant property;

In the analysis of the *Purpose* as well as these three *Conditions*, it is important to first consider the Comprehensive Plan and what it calls for in this area of the Oaks District. In the Plan, this area is designated as a *Stable Area*—an area considered “free from blighted influences such as incompatible land uses...vacant parcels which may exist are good to excellent development sites”. As such, extra care should be given in allowing varying land uses. As a result, the question then becomes what would be considered the most appropriate action as specified by the Comprehensive Plan and most sound *planning judgement* as required by the Zoning Ordinance?

To answer this, it is important to also consider the *2007 Oaks District Rezoning Study*. This study sought to analyze which areas of the Oaks District had sufficiently stabilized to warrant rezoning to then further limit commercial and multi-family encroachment. The purpose was also meant to better align the zoning of the neighborhood with what was called for in the Comprehensive Plan. The action taken then as part of the study was to rezone some areas to R-S (Residential-Single-Family) (including the area across the street from this site), create a new type of zoning district, known as RCR-H (Residential Conservation and Revitalization-Historic) to further restrict commercial encroachment, and change the zoning of several blocks of RM-H (Residential Multi-Family-Highest Density) to R-S (Residential-Single-Family) zoning. It should be noted that while the south side of this block of Hazel was rezoned to R-S (Residential-Single-Family) zoning, the north side of this block remained RM-H. This and other areas were not changed, not necessarily due to a desire to allow and encourage commercial uses, through an SUP approval, but due to the prevalence of multi-family structures that would be very difficult or impossible to revert to back to single-family residences.

For this SUP application, it is important to consider whether now, some eight years after the rezoning study, is this block still in need of commercial investment and mixed uses or whether, in 2015, this block continues to be *stable* or improving and still in need of being free from incompatible land uses? In order to answer this, we should look to such factors as rate of vacancies in the immediate area, the number of recent SUP applications for conversion to commercial use in the recent past and finally, trends in property values.

First, research shows that currently, there are almost no vacancies that exist in this immediate area and other than this application, no applications for new commercial uses, via the SUP process, have been recently submitted within this block. An SUP was approved for a barber shop on the south side of Hazel, but this was in 1992. It is also worth noting that this application comes soon after this property was occupied as a residence for many years, which would indicate that a residence would be a viable use.

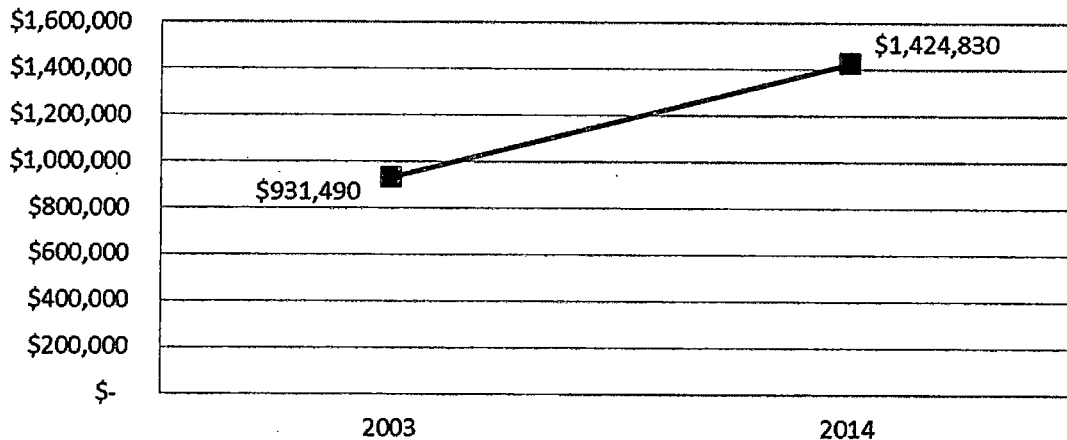
With regard to trends in property values, our research showed that of the seventeen (17) structures in this block of Hazel (excluding those along 7th and 6th), sixteen (16) showed significant increases in value (as appraised by the Jefferson County Appraisal District)-significant evidence of stabilization. In 2003, the value of these seventeen (17) properties was \$931,490, in 2007 the value was \$1,292,640, and in 2014, the total value was \$1,424,830. Not only did all but one of the structures increase in value, **the increase in value from 2003 to 2014 was greater than fifty percent (50%)**. This rate compares to an increase rate of only 12.4% in another more traditionally stable part of Old Town, 20% in an area on the south side of Calder Avenue in Old Town, as well as an increase in value of 13% at a randomly selected, but similar RM-H property in another part of the city (Please see attached chart for property value data).

Finally, it is important to consider the non-residential nature of the business itself. This would include the daytime-only occupancy as well as the traffic associated with employees and clients. While it could be argued that the impact of the use would be somewhat limited compared to other commercial uses and might be appropriate in areas of the Oaks District that continue to struggle, it can also be argued that this type of use is substantially different than that of residential uses and would be considered incompatible.

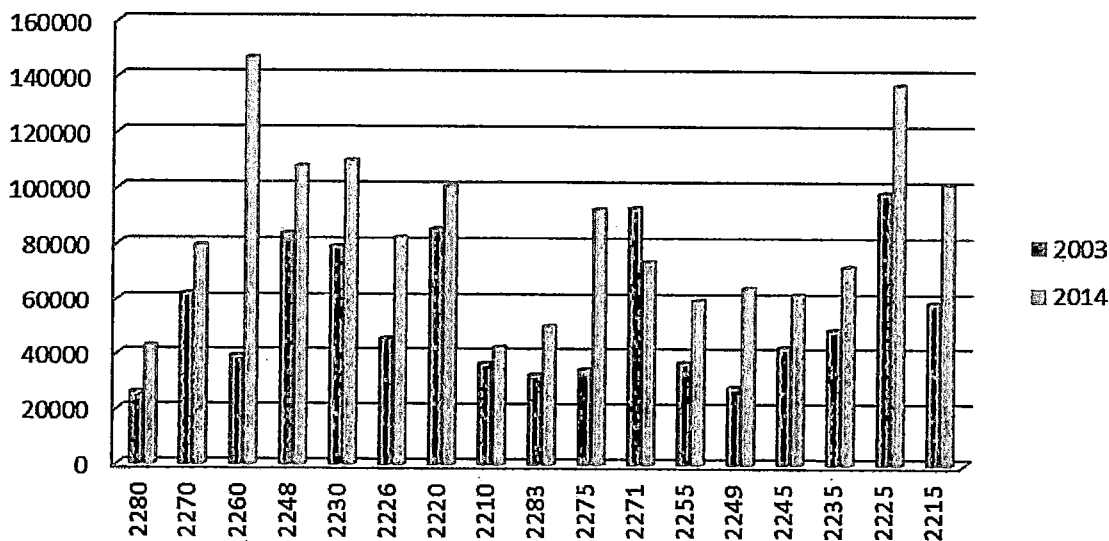
In summary, cities with declining historic neighborhoods often turn to light commercial uses—especially

professional offices to help stabilize an area. While it can be argued that certain blocks in the Oaks District continue to struggle to stabilize and may continue to need a variety of uses, their RCR-H zoning specifically calls for this and allows it if granted an SUP. This particular block of Hazel, while maintaining its RM-H zoning due to the prevalence of multi-family structures and uses, has stabilized in the eight (8) years since the last zoning study and is designated as a *Stable Area* in the Comprehensive Plan. As such, adding this new office in this established residential block would not be compatible and would be considered injurious to adjacent properties and would impede the normal and orderly development and improvement of surrounding vacant and improved properties.

Property Values in the 2200 Block of Hazel-- 2003 to 2014



Home Values in the 2200 Block of Hazel-2003 & 2014



Exhibits are attached.

PUBLIC NOTIFICATION

Notices mailed to property owners 30

Responses in Favor _____ Responses in Opposition _____

LEGAL DESCRIPTION FOR ORDINANCE PURPOSES

BEING Lot 23 and the east 8' of Lot 22, Block 7, Averill Addition, Beaumont, Jefferson County, Texas, containing 0.16 Acres, more or less.

ANALYSIS

CONDITIONS FOR APPROVAL OF SPECIFIC USE PERMIT (SECTION 28-26.E, ZONING ORDINANCE)

Conditions:	<u>Application is in compliance</u>	<u>Application is not in compliance</u>	<u>Comments Attached</u>
1. That the specific use will be compatible with and not injurious to the use and enjoyment of other property, or significantly diminish or impair property values within the immediate vicinity;	_____	X _____	X _____
2. That the establishment of the specific use will not impede the normal and orderly development and improvement of surrounding vacant property;	_____	X _____	X _____
3. That adequate utilities, access roads, drainage and other necessary supporting facilities have been or will be provided;	X _____	_____	_____
4. The design, location and arrangement of all driveways and parking spaces provides for the safe and convenient movement of vehicular and pedestrian traffic without adversely affecting the general public or adjacent developments;	_____	X _____	X _____
5. That adequate nuisance prevention measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration;	X _____	_____	_____
6. That directional lighting will be provided so as not to disturb or adversely affect neighboring properties;	X _____	_____	_____
7. That there are sufficient landscaping and screening to insure harmony and compatibility with adjacent property; and,	_____	X _____	X _____
8. That the proposed use is in accordance with the Comprehensive Plan.	_____	X _____	X _____

ANALYSIS continued

This application is in conformance with three of the eight conditions necessary for approval. Comments on Conditions 1, 2, 4, 7 and 8 follow:

1. Due to the increasing stability of this area and the lack of other commercial uses in this immediate area and designation as "Stable" in the Comprehensive Plan, allowing professional offices would be considered injurious to the use and enjoyment of other property and could significantly diminish or impair property values within the immediate vicinity.
2. Due to the increasing stability of this area and the lack of other commercial uses in this immediate area, the establishment of the specific use will impede the normal and orderly development and improvement of surrounding vacant property.
4. The applicant proposes to expand parking in the rear yard to add 3 parking spaces, including an ADA compliant parking space.
7. Applicant is requesting a waiver to the buffer requirement as existing buildings, driveway and proposed parking encroach into the required ten (10) feet. Applicant wishes to keep existing fencing in an attempt to maintain the residential nature of the property as much as possible.
8. The Comprehensive Plan identifies this block as a Stable Area.

GENERAL INFORMATION/PUBLIC UTILITIES

<u>APPLICANT:</u>	Audwin M. Samuel
<u>PROPERTY OWNER:</u>	Norris and Gwendolyn Turner
<u>LOCATION:</u>	2226 Hazel Avenue
<u>EXISTING ZONING:</u>	RM-H (Residential Multiple Family Dwelling - Highest Density) District
<u>PROPERTY SIZE:</u>	~0.16 acres
<u>EXISTING LAND USES:</u>	Vacant Residential
<u>FLOOD HAZARD ZONE:</u>	X – Area determined to be outside the 500 year flood plain
<u>SURROUNDING LAND USES:</u>	<u>SURROUNDING ZONING:</u>
NORTH: Residential	RM-H (Residential Multiple Family Dwelling - Highest Density) District
EAST: Multi-Family	RM-H
SOUTH: Residential	RS (Residential Single Family Dwelling)
WEST: Residential	RM-H

COMPREHENSIVE PLAN:

Stable Area

STREETS:

Hazel Avenue: Local street with 60' right-of-way and 30' pavement width.

DRAINAGE:

Curb and gutter

WATER:

2" Water line

SANITARY SEWER SERVICE:

6" Sanitary Sewer line

PROPERTY OWNERS NOTIFIED

HOFFPAUIR MARCIE K
BYERLY JESSICA
BRAMBLE ROXANNE N
BUEHRLE PATSY
COOPER DARRELLA
TALLEY MICHAEL
FEDERAL NATIONAL MORTGAGE ASSN
BROUSSARD BRIAN KEITH
O'NEIL CYNTHIA F
FINICAL TONY A
ELLIS ORA ESTATE
HOBSON HERSCHEL L ET UX
DOTY ROY R & AUDREY J
DEUTSCHE BANK NATIONAL TRUST
JEPSON BARRY & MARY DELL
BEAUMONT ISD
PLATINUM PROSPECT LTD
SESMAS MACEDONIA ALBARRAN
BROUSSARD BRIAN &
CULLEN SMITH INVESTMENTS LLC
WILLIAMS VANESSA
TURNER NORRIS & GWENDOLYN
COLORADO RIVER PROPERTIES LLC
OLD TOWN INVESTORS
JORDAN JOE JACKSON TRUST
WILLIAMS DONALD
LEWIS MARK & SUZANNE S
JORDAN RALPH & VIRGINIA
FERNANDEZ GREGORY & CAROLYN
JONES PAUL

ORDINANCE NO.

ENTITLED AN ORDINANCE GRANTING A SPECIFIC USE PERMIT TO ALLOW A LAW OFFICE IN AN RM-H (RESIDENTIAL MULTIPLE FAMILY DWELLING - HIGHEST DENSITY) DISTRICT AT 2226 HAZEL AVENUE IN THE CITY OF BEAUMONT, JEFFERSON COUNTY, TEXAS.

WHEREAS, Audwin M. Samuel has applied for a specific use permit to allow a law office in an RM-H (Residential Multiple Family Dwelling - Highest Density) District at 2226 Hazel Avenue, being Lot 23 and the east 8' of Lot 22, Block 7, Averill Addition, Beaumont, Jefferson County, Texas, containing 0.16 acres, more or less, as shown on Exhibit "A," attached hereto; and,

WHEREAS, the Planning and Zoning Commission of the City of Beaumont considered the request and is recommending denial of a specific use permit to allow a law office in an RM-H (Residential Multiple Family Dwelling - Highest Density) District at 2226 Hazel Avenue; and,

WHEREAS, the City Council is of the opinion that the issuance of such specific use permit is in the best interest of the City of Beaumont and its citizens;

NOW, THEREFORE, BE IT ORDAINED

BY THE CITY COUNCIL OF THE CITY OF BEAUMONT:

THAT the statements and findings set out in the preamble to this ordinance are hereby, in all things, approved and adopted; and,

Section 1.

That a specific use permit to allow a law office in an RM-H (Residential Multiple Family Dwelling - Highest Density) District at 2226 Hazel Avenue, being Lot 23 and the east 8' of Lot 22, Block 7, Averill Addition, Beaumont, Jefferson, County, Texas,

containing 0.16 acres, more or less as shown on Exhibit "A" is hereby granted to Audwin M. Samuel, his legal representatives, successors and assigns, as shown on Exhibit "B," attached hereto and made a part hereof for all purposes.

Section 2.

That the specific use permit herein granted is expressly issued for and in accordance with each particular and detail of the site plan attached hereto as Exhibit "B" and made a part hereof for all purposes.

Section 3.

Notwithstanding the site plan attached hereto, the use of the property herein above described shall be in all other respects subject to all of the applicable regulations contained in Chapter 28 of the Code of Ordinances of Beaumont, Texas, as amended, as well as comply with any and all federal, state and local statutes, regulations or ordinances which may apply.

PASSED BY THE CITY COUNCIL of the City of Beaumont this the 30th day of June, 2015.

- Mayor Becky Ames -

File **2233-P**: A request for a Specific Use Permit to allow a law office in an RM-H (Residential-Multiple Family Dwelling-Highest Density) District.


Location: 2226 Hazel Street

Applicant: Audwin M. Samuel

0 100 200 Feet

N

Legend

 2233P

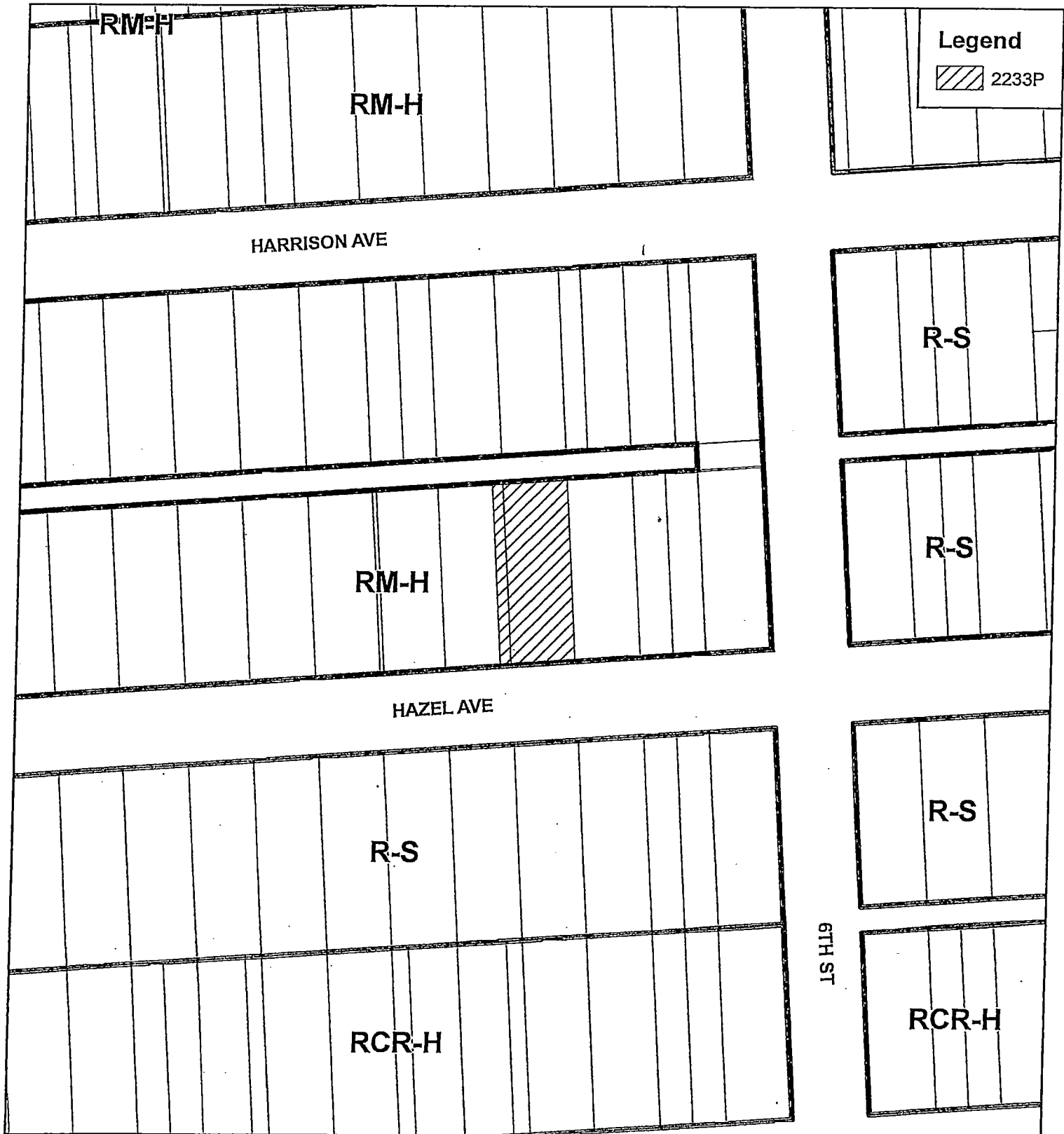
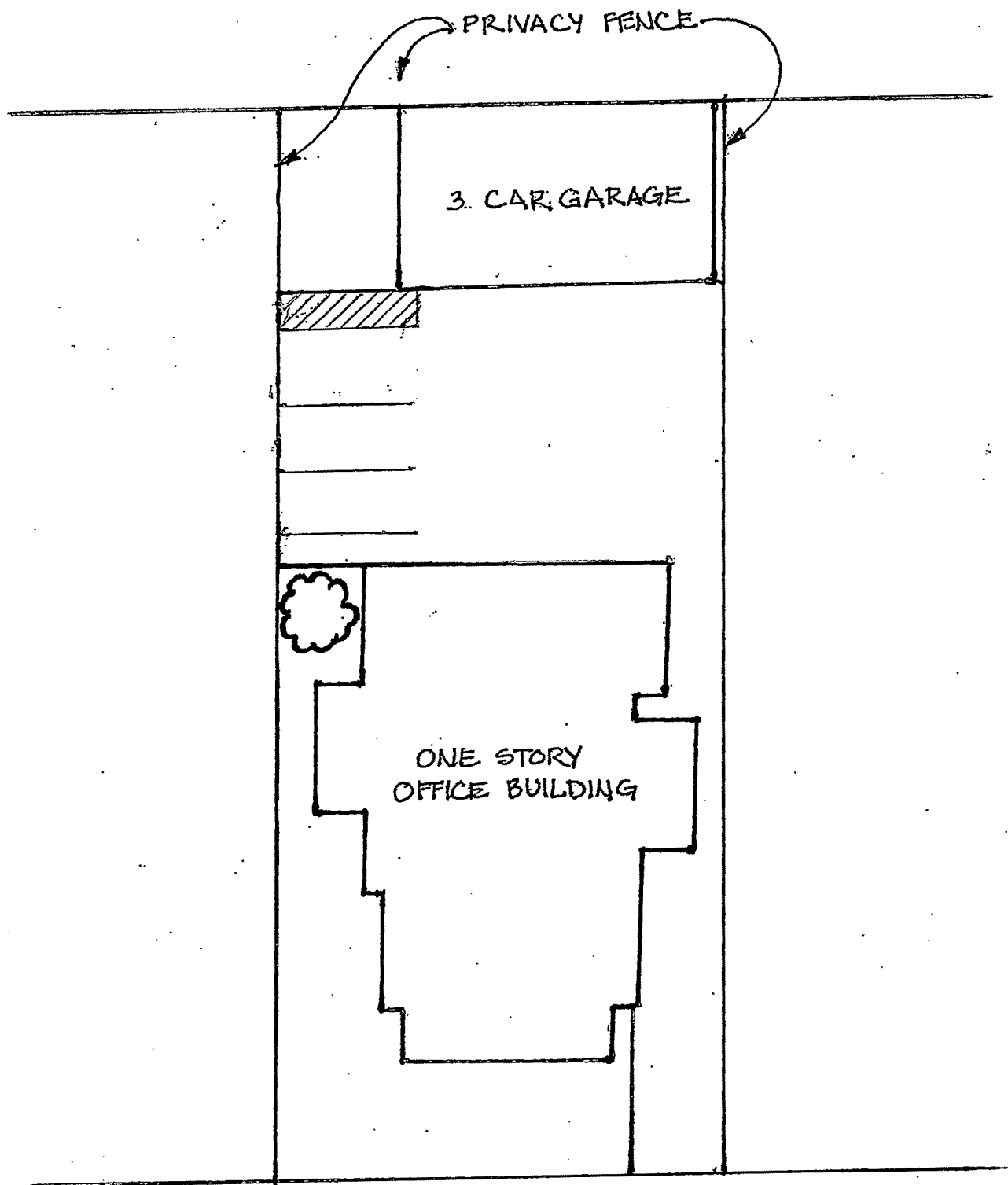


EXHIBIT "A"



HAZEL STREET

EXHIBIT "B"

2233-P